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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF TENNESSEE,

AT THE

Nineteenth General Assembly,

HELD AT NASHVILLE.

F. S. HEISKELL & A. A. HALL,

PRINTERS TO THE STATE.

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1831.

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

FOR 1831.

General Assembly of the State of Tennessee, begun and held in the town of Nashville, on Monday, the 19th day of September, in the year one thousand eight hundred and thirty-one, being the first session of the nineteenth General Assembly held under the Constitution of the State of Tennessee.

On which day, being that appointed by the Constitution of the State of Tennessee, for the meeting of the General Assembly, the following members of the House of Representatives appeared, produced their credentials, and took their seats; the oath prescribed by the Constitution of the State being first administered to all the members present, by the Hon. James C. Mitchell, one of the Judges of the Circuit Courts, and Robert C. Foster, Esq. one of the Justices of the peace for Davidson County, to wit:

From the counties of Carter and Sullivan—Christian Carriger.

From the county of Washington—John Tipton.

From the county of Hawkins—James Young.

From the county of Greene—John McGaughey.

From the county of Grainger—Warham Easley.

From the counties of Claiborne and Campbell—David Rogers.

From the county of Jefferson—John McFarland.

From the counties of Cocke and Sevier—Alexander E. Smith.

From the counties of Knox and Anderson—Richard G. Dunlap.

From the county of Blount—James Gillespy.

From the counties of Roane and Morgan—Thomas Stockton.

From the county of Monroe—Iredell D. Wright.

From the county of McMinn—Elijah Hurst.

From the counties of Rhea and Hamilton—Miles Vernon.

From the counties of Bledsoe and Marion—James Roberson.

From the county of Franklin—George Gray.

From the county of Warren—Jonathan Parris.

From the counties of White and Fentress—Samuel Turney.

From the counties of Overton and Jackson—Robert Nevins.

From the county of Smith—Dixon Allen.

From the county of Sumner—Elijah Boddie and Charles Watkins.

From the county of Wilson—John H. Dero.

From the county of Rutherford—*David W. Dickinson and A. G. Gowen.*

From the county of Bedford—*Joseph Kincaid.*

From the county of Davidson—*Thomas Claiborne.*

From the county of Williamson—*Abram P. Maury.*

From the county of Lincoln—*William M. Inge.*

From the county of Giles—*Aaron V. Brown.*

From the county of Maury—*James Dobbins.*

From the county of Robertson—*Richard Cheatham.*

From the county of Montgomery—*Frederic W. Huling.*

From the counties of Dickson and Hickman—*Boling Gordon.*

From the counties of Stewart, Humphreys and Perry—*James Gray.*

From the counties of Henry and Weakley—*Spearman Holland.*

From the counties of Lawrence, Wayne and Hardin—*Benjamin Hardin.*

From the Counties of Madison, Haywood and Henderson—*Charles D. McLean.*

From the counties of Carroll, Gibson, Dyer and Obion—*Joel R. Smith.*

A Quorum consisting of a majority of the whole number of members being present, the House proceeded to the choice of a Speaker, to preside over its deliberations; when on collecting and counting out the ballots, it appeared that Frederic W. Huling, the Representative from the county of Montgomery, was duly elected.

Whereupon, Mr. Huling was conducted to the chair and made his acknowledgments to the House in the following words, to wit: *Gentlemen of the House of Representatives:*

Permit me to return you my sincere thanks for the partiality you have shown me, and the confidence you have placed in me to preside over this House. For the discharge of the important duties which you have been pleased thus to impose upon me, I can assure you of my earnest endeavors and unremitting attention. Yet I fear my inexperience will require much indulgence from you. But, gentlemen, however great might be my experience or ability, they could serve but little purpose without your hearty co-operation; this I feel assured I shall have, as we must all alike be deeply impressed with the importance of the trust we have undertaken to discharge to our country. However variously we may view the subjects presented for our deliberation, there can be but one opinion as to the necessity of conducting those deliberations with the most perfect personal harmony and good feeling; without this, little advantage can be expected from our labors, and with it, much; without this, my duties will be arduous, difficult and disagreeable, with it my task will be comparatively

light and pleasant. There is much satisfaction in the reflection, that whatever errors I may fall into, will be indulgently regarded by the House, and at the same time promptly corrected, so that in any event, no serious injury can result to the State from my defects and inexperience. Permit me again, gentlemen, to assure you of my deep sense of gratitude for the honor you have conferred upon me.

After which the House proceeded to the choice of a Clerk;—when on collecting and counting out the ballots, it appeared that Thomas J. Campbell was duly elected.

The House proceeded to the choice of an assistant Clerk, and upon an examination of the fourth ballot, it appeared that James A. Whiteside was duly elected.

Whereupon, an oath of office was administered to the said Clerk and assistant Clerk by the Hon. James C. Mitchell, one of the Judges of the Circuit Courts.

James McDowel was then elected Door Keeper, and Joseph Hickey assistant Door Keeper; and, ordered that they do give their attendance accordingly.

Whereupon, on motion of Mr. Allen, the Rev. Mr. Gwinn was invited to open the proceedings of the House by solemn prayer.

On motion of Mr. Allen,

Resolved, That the Door-keepers be required to provide such attention as is necessary for furnishing and regulating the Hall of the House of Representatives, free from any other charge than their per diem allowance.

On motion of Mr. Hurst,

Resolved, That a select Committee be appointed to join such Committee as may be appointed on part of the Senate to wait on the Governor of the State and inform him that the General Assembly are ready to receive any communication he may think proper to make them.

And Mr. Inge, Mr. McLean, Mr. Hurst, Mr. Dunlap, Mr. Holland, and Mr. Cheatham were appointed the said Committee on part of this House.

Ordered, That the Clerk acquaint the Senate therewith, and also inform them that a quorum of this House has assembled and are ready to proceed to business.

On motion of Mr. Vernon,

Resolved, That a select Committee be appointed to contract for Stationary for the house of Representatives at the present session of the General Assembly.

And Mr. Vernon, Mr. Boddie, Mr. Maury, Mr. Wright, and Mr. Smith of Carroll were appointed the said Committee.

On motion of Mr. Dunlap,

Ordered, That the Editors of Newspapers in this State be al-

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lowed seats within the bar of the house for the purpose of reporting its proceedings.

On motion of Mr. Allen,

Resolved, That a select Committee be appointed to contract for job printing for the use of this house.

And Mr. Allen, Mr. Kincaid, Mr. Holland, Mr. Maury, Mr. Dobbins and Mr. Parris were appointed the said Committee.

On motion of Mr. Dunlap,

Resolved, That a select Committee be appointed to prepare rules for the order and government of this house.

And Mr. Dunlap, Mr. Brown, Mr. Claiborne, Mr. James Gray, Mr. Easley, and Mr. Gillespie were appointed the said Committee.

On motion of Mr. Nevins,

Resolved, That a select Committee be appointed to be denominated the Committee of Captains companies and Justices of the Peace.

Mr. Easley introduced the following resolution, to wit:

Resolved, That a select Committee be appointed, to be denominated the Committee on Divorces.

Ordered, That said Resolution lie on the table.

On motion of Mr. McGaughey,

Ordered, That the daily hour to which the House shall stand adjourned until otherwise ordered, shall be nine o'clock in the forenoon.

And then the House adjourned.

TUESDAY, SEPTEMBER 20, 1831.

Mr. Claiborne presented a Report from the Secretary of State upon the adjudication of Land claims, under the act of 1829.

The said Report was read and is as follows:

*Office of the Secretary of State, }
September 20, 1831. }*

I herewith present to the General Assembly a statement shewing the number and character of the claims which have been adjudicated by the Secretary of State, upon which he has issued certificate warrants, under the act passed the 30th December, 1829, entitled "an act for the relief of occupants south and west of the Congressional Reservation line, and for other purposes."

Very Respectfully,

THO: H. FLETCHER,
Secretary of State, and
Commissioner of Land Claims.

Ordered, That said Report and accompanying documents lie on the table.

On motion of Mr. McLean,

Resolved, That the Secretary of State furnish the Door-keeper of this House on application such books, papers and documents as may be asked for.

A message from the Senate by Mr. Hill, their Clerk.

Mr. Speaker:—I am directed to inform the House of Representatives that a quorum of the Senate have assembled in pursuance of the Constitution of the State of Tennessee. They have chosen Mr. Burchet Douglass, Senator from Wilson, their Speaker, William K. Hill their Clerk, Luke Lea, Jr. their assistant Clerk, James Hickey their Door-keeper, and are ready to proceed to business. The Senate have appointed Mr. Greene, Mr. Frey, and Mr. Wyly a Committee on their part, to join the Committee on part of the House of Representatives to wait on the Governor and inform him that the General Assembly are ready to receive any communication he may have to make them.

And then he withdrew.

Mr. Allen introduced a bill to abolish imprisonment for debt.

Ordered, That said bill lie on the table until to-morrow.

Mr. McGaughey introduced a bill giving further time for surveying entries and obtaining grants.

Ordered, That said bill lie on the table untill to-morrow.

Mr. Turney introduced a Resolution directing the President and Directors of the Bank of the State of Tennessee to report the amount of the available funds in said Bank and its agencies, and for other purposes.

The said Resolution was read at the Clerk's table, and the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith and ask their concurrence therein.

Mr. McGaughey introduced the following Resolution, to wit:

Resolved. That a select Committee be appointed to consist of six members, to be denominated the Committee on the retrenchment of the civil list.

Mr. Boddie made a motion to amend the said Resolution by striking out the words "of the civil list."

On motion of Mr. Gillespie,

Ordered, That the said Resolution and motion to amend lie on the table.

Mr. Claiborne introduced the following resolution, to wit:

Resolved, That all who now are, or have been members of Congress, whether of this State, or any other State in the Union, all who have been members of the General Assembly of this State, all Judges of the Superior Courts of Law or Equity, the

Secretary of State, or any distinguished strangers, may be invited by the Speaker to take such seats within the bar, as may be assigned to them.

Mr. Turney made a motion to lay the said resolution on the table until the first day of January next.

And the question being taken thereon, it was determined in the affirmative.

Mr. Inge from the Committee appointed to wait on the Governor of the State and inform him that the two houses of the General Assembly were ready to receive any communication he might think proper to make them, reported that the Committee had performed that service, and that the Governor answered he would make a communication to each house of the General Assembly immediately.

A message in writing was received from the Governor of the State by Mr. Secretary Fletcher, who delivered in the same at the Speaker's table, and withdrew.

The said message was read at the Clerk's table, and is as follows:—

Fellow citizens of the Senate,

and of the House of Representatives,

The circumstance of your assembling together, clothed with authority by a free people, to deliberate and decide on their dearest interests, is a spectacle calculated to excite the most pleasing emotions in the breast of every real patriot.—This high privilege is only enjoyed to the same extent by the citizens of our great republic; and it furnishes a happy illustration of the principle, that the people do in fact govern themselves.

In your deliberations, you may rely upon my cordial support in all measures that are calculated to advance the happiness and prosperity of our beloved country. And the opinions which I entertain upon the subjects which I shall bring to your consideration, shall be offered briefly, but with candor. It will be for you to determine upon their correctness, and to sustain or oppose them as your better judgments may direct.

In the communication which I made at the commencement of the last session of the General Assembly, I urged the propriety of a strict examination of the affairs of the State Bank, from a conviction that many of its officers and agents had disregarded the trust reposed in them, by using the public funds for their own private advantage. The joint committee, to whom was referred the duty of inquiring into the condition of the bank, discovered that the officers of the principal institution at Nashville, were defaulters to a large amount; but the near approach of the termination of the session, when this information was obtained, rendered it impracticable, at that time, to ascertain the precise deficiency. The new directory however were authorized to bring the business

to a close as soon as possible; this they have not yet entirely accomplished, although great diligence has been used for that purpose. Nearly two hundred thousand dollars have been obtained from the cashier and clerk, and it is to be feared that there is still a considerable sum in default. When it shall be accurately known, a hope is entertained, that the securities of the cashier will be disposed to settle, in a manner satisfactory to the State. Although there is every reason to apprehend that a loss will be sustained at the principal bank in Nashville, yet it is believed that a much greater proportionable deficiency will be found to exist at the agencies. The report of General Smith, of the examination which he has made of the agencies in West Tennessee, is now before me, and it exhibits extensive insolvencies on the part of the debtors and great inaccuracies in the transaction of the public business by most of the agents. The amount due at the agencies in West Tennessee is about two hundred and fifty thousand dollars, and of this sum at least sixty thousand dollars, and probably more will be certainly lost. The gentleman appointed to examine the East Tennessee agencies, has not reported; but it cannot be otherwise, than that some loss will also be sustained in that end of the State. From this view of the subject, it is palpable, that the State has already incurred a heavy injury, and that most of its funds are in great jeopardy. What then can be done to secure the interest of the country? The answer is obvious. Measures must be immediately adopted to close the affairs of the bank with as little delay as possible, taking care not to oppress the debtor part of society. The better to secure this purpose, I would recommend that an agent of industry and talents be appointed to visit the agencies, fully authorised to settle with each debtor; allowing a reasonable indulgence for payment to all those who may give unquestionable security for the discharge of their debts. Where the debtor should refuse to accede to these terms, suit should be instituted against him, in order that a period might be looked to when the affairs of the bank would be finally closed. No objection can well be made to this course, more especially as the community can receive no benefit, from continuing the operations of the institution, as it is at present organized. And the great expense of the principal bank and its numerous branches, imposes a heavy tax upon the industry of the people without the least equivalent. It is a principle well supported by experience, that the farmer engaged in the peaceful cultivation of the soil cannot afford, by the small profits of his labor, to pay the ordinary interest of six per cent. How then can he borrow from the State Bank without almost certain ruin, when the lawful interest in most instances, is not half the charge to which he is made liable. He can borrow but a small amount, and when he obtains the money, as well as at every renewal, he has to pay for a blank note and

a power of attorney. In addition to this, the borrower and his securities lose twelve days labor in each year, by attending at the agents every three months to renew their notes. And on failure to comply with the requisitions of the bank, the president is authorised to confess judgment against the principal and his securities, which in some instances creates a charge for costs equal to the debt. The farmer who wishes to be prosperous and happy, must neither borrow money nor contract debts founded upon the anticipated proceeds of his labor. His success depends upon industry and economy—upon his living almost exclusively within his own means, and manufacturing at home, most of the articles of clothing essential to the wants of his family.

There is an additional reason for closing the affairs of the bank, entitled to great weight. A very laudable spirit prevails throughout the State in favor of internal improvements; but this object cannot be accomplished without the aid of money. Sound policy would therefore seem to dictate the propriety of collecting the funds of the bank as speedily as possible, and applying a portion of them at least, in the construction of roads and improving the navigation of our rivers. There is no State in the Union, where the materials for making roads are in greater abundance; and yet at that season of the year when the produce of the country is brought to market, our present roads are almost impassable. With a view to their improvement, I would recommend the propriety of incorporating companies, imposing such restrictions and extending to them such privileges, as are approved by the experience of other States, where such companies have long existed; and for the purpose of encouraging that kind of associations, the State should be authorised to subscribe one half, or at least one third of the stock. This plan has been successfully pursued in Pennsylvania for the last fifteen years, and the extent of her improvements during that time has been without example in the history of any country, in proportion to her population. Good roads and the certain navigation of our rivers, have such an important bearing upon agriculture, commerce and the growing prosperity of our State, that I cannot but earnestly recommend to your attention, the propriety of adopting such a system of internal improvements, as we can certainly achieve by our own resources.

The commissioners appointed at the last session to constitute a board of internal improvements, held their first meeting at Nashville, in May 1830. Measures were then taken to employ an Engineer, for the purpose of making surveys and estimates of the expense of constructing roads and improving the navigation of our rivers. A gentleman was engaged for that purpose, who was expected to enter the service of Tennessee, on his having completed some work he had previously undertaken to perform. It was contemplated that he would be able to commence his labors

for us, early in the past summer; but owing to ill health, he was obliged to decline all attention to business, of which fact he advised us last spring. I am pleased to state, however, that the services of another gentleman have been procured, who has been recently employed in making a survey of the *Suck, Boiling Pot* and *Tumbling Shoals* of Tennessee river: and it is thought that he will also be able to make an examination of Harpeth shoals on Cumberland river, in time for all his reports to be laid before your body, at the present session. Those two rivers being the principal outlets to the produce of East and Middle Tennessee; the removal of obstructions in them, would seem to be entitled to your first attention.

In compliance with the act of the last session, authorizing the building of a Penitentiary, the commissioners who were appointed to superintend the erection of a suitable edifice, entered upon the duties assigned to them immediately after the adjournment of the Legislature, in January, 1830. That they might avail themselves of all the improvements which experience had made manifest, plans of the best constructed eastern penitentiaries were procured, by an agent sent specially for that purpose. A site was obtained upon which to erect the buildings, a mile south-west of the court house in Nashville, uniting more advantages than any other which could be had in the vicinity. At the commencement of the work, a question of some delicacy presented itself for the consideration of the commissioners, whether it should be upon a plan that could be finished for the amount appropriated; or so extensive that it would answer the purposes of the State for a long period to come, without there being a necessity of making alterations or additions hereafter. The difficulty of adopting a course to be pursued, was greatly lessened by the known and often expressed opinions of the members of the last legislature. No one of them entertained a belief that a penitentiary could be erected with sufficient accommodations, for double the sum appropriated; and it was expected by all, that a large additional sum to complete it, would have to be granted. The commissioners therefore conceived it proper to commence the buildings upon a plan so extensive, that no future appropriations would be required, to erect additional houses, as the convicts increased in number. I could not but cordially approve of this course, as I was sensible that the amount appropriated, was wholly inadequate to erect an institution suitable to our future wants; and if the work had been discontinued when the appropriation was exhausted, the buildings would have sustained great injury by time and weather, before the meeting of the present General Assembly. The work was commenced on the first of April 1830; and proceeded with so much rapidity, that I was enabled on the first of January last, in compliance with the law, to issue a proclama-

tion, setting forth that the penitentiary was in a state and condition for the reception of convicts. Since then nineteen convicts have been received, who conduct themselves with great propriety, and more than cover all their expenses by the profits of their labor. During the present year, two carpenters and a part of the convicts have been employed in finishing the buildings, and the Penitentiary is now complete with the exception of some cell doors, work shops and out houses, all of which can be done by the convicts at a small expense. The whole amount expended is less than fifty thousand dollars, and it is confidently asserted that no establishment of the kind in the United States, of equal dimensions, has been built on terms so reasonable. It is due to the commissioners to say, that much of their time was employed in superintending the work; and that to their zeal and correct knowledge of the value of mechanical labor, may be attributed in a great degree, the celerity with which the buildings were erected, and the economy which prevailed in their construction.

For many years I have advocated the Penitentiary system from a full conviction that it afforded the best means, not only of graduating punishment according to the magnitude of crime, but also of reforming the guilty. The circumstances which develop themselves on the trial of an individual charged with a criminal offence, afford an opportunity of judging of his depravity, and the time of his imprisonment can be determined by the jury accordingly. Not so under the old law. The guilty, whether a young and pliant offender, or an old and hardened transgressor, was alike subject to the punishment of the whipping-post and the branding iron. Will such cruelty produce reformation? Is it not much more reasonable to expect that the unfortunate victim of the law, feeling his degraded condition, will go forth armed with the spirit of revenge, determined to commit new outrages upon that community by whose laws he has been rendered infamous? If reformation can be produced it is most reasonable to expect it under the influence of the penitentiary system. The violator of the law of his country is shut up within the walls of a prison—secluded from a knowledge of passing events, obliged to labor throughout the day, without an opportunity of holding converse with his fellow convicts, and when his daily labor is over, is locked up in a cell, with no other companion than his bible and his own thoughts. Surely in his retirement he will reflect on the follies of his past ill spent life—if reformation do not follow, he will at least be making some atonement to the community he has injured by laboring for his support, and however ungovernable and refractory his disposition may be, he will be prevented from the commission of crime during his confinement.

It cannot be expected that the expense of the institution, for some time to come, will be fully defrayed by the labor of the con-

victs; but when the workshops are completed and other improvements are made, the prisoners will all be constantly engaged in some mechanical employment, which will produce a profit on their labor. When their number is increased to thirty-five or forty, if well managed, the prison will be no longer a charge on the State. It is believed that its clear gain will cover the salary of officers, and all other contingent disbursements. This conclusion is sustained by the experience of all well conducted penitentiaries. The proceeds of the labor of the average number of about one hundred and fifty prisoners at Weathersfield, Connecticut, exceed the whole expense of their support, including the salary of the officers, more than five thousand dollars a year. At Baltimore, for the last seven years the average profits of the penitentiary has been upwards of ten thousand dollars annually. Other institutions present the same favorable results, and there is every reason to believe that we may soon calculate on similar advantages. Even now, at the commencement of its operations, the prison is less expensive to the State, than was our old system of criminal law. A few years ago I addressed letters to the clerks of the county and circuit courts, requesting an account of the expense of the confinement of criminals in the county jails after conviction. The result of my inquiry was, that it was little short of twelve thousand dollars a year. From this charge we are now entirely relieved. The present criminal code may be defective; if so, the power of correcting it is with you. In conclusion, I must be permitted to add, that the Penitentiary system has been adopted in this State, by the representatives of the people—that an ardent hope is entertained that it will answer all the purposes of usefulness that were predicted by its friends; and that those who have been heretofore honestly opposed to it, will, now that it is in operation, be disposed to give it a fair trial, and not assail or abandon it, until we have a clear manifestation of its inutility.

It is a source of melancholy regret that three fourths of the unhappy inmates of prisons acknowledge, that the too free use of ardent spirits was the leading cause of the commission of the crimes for which they were convicted. Nor is it less a subject of regret that nine tenths of the pauperism in the Eastern cities, arises from intemperance. Is there no remedy for this alarming, evil, which cuts off so many citizens in early life, and brings so much sorrow and misery on innocent families? I answer that there is. Pass a law prohibiting the county courts from granting to any one, a license to retail spiritous liquors, unless he be a man of known character for honesty, whose business is that of an inn keeper, with suitable accommodations for travellers; and punish with severity those who violate the law. Little hesitation should be felt in adopting this course, especially as it is well known, that drunkenness, theft, robbery, gambling and m

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generally have their origin in the grog shops of our towns and villages. When we see the wise and the virtuous every where uniting their influence for the suppression of intemperance, and when we consider its destructive effect upon the peace and morals of society, it is surely our duty to aid in counteracting its influence.

A general wish appears to prevail that some change should be made in our Judiciary system. If experience has proved that the present system is insufficient for the prompt discharge of public business, there is, as I apprehend, no constitutional prohibition to a radical change, but if the object be to make partial alterations, with a view to the removal of any of the judicial incumbents, I would respectfully suggest that such a course is fraught with hazardous consequences. Whatever has a tendency to weaken the independence and stability of the judicial branch of the government is dangerous to the rights and liberties of the people: for can it be supposed that a Judge who holds his appointment subject to the control of the Legislature at every session, is as well qualified to make impartial decisions, as one who has a reasonable certainty of the undisturbed possession of office during his good behaviour.

By the third article of the convention of eighteen hundred and twenty, regulating the boundary between the states of Kentucky and Tennessee, it is provided that whenever the Governor of either state, shall deem it expedient to have the line between the two States run and plainly marked, he shall cause a notification thereof to be communicated to the Governor of the other State, and thereupon two surveyors shall be appointed, one by the Governor of each State to ascertain, survey and plainly mark what is known by the name of Walker's line. The Governor of Kentucky, in accordance with this stipulation, notified me early in September last, that he was desirous to have the line run, and marked adjoining the counties of Trigg, Simpson and Allen, and solicited the co-operation of this State. Mr. James Bright was accordingly appointed surveyor in behalf of Tennessee, and he and Dr. Munsell of Kentucky, commenced the duty assigned them early in November.—On tracing and marking the line, it was discovered that at a certain beach tree near Drake's creek, the reputed line took an offset south sixty-two degrees west to a black jack, on the road leading from Nashville to Lexington, and thence it took another offset northwardly to a gum tree, standing in Walker's original line. The surveyors continued the line and found no other difficulty, till within a mile of Cumberland river, where it terminated; but they extended it according to its course at its termination across the Tennessee river. On running a line due north from where they struck the Tennessee, they intersected a line said to have been run by Walker. The citizens west of Cumberland river between those two lines, have been consider-

ed as belonging to Tennessee, and have always been subjected to the jurisdiction of her laws. The Legislature of Kentucky in acting upon the subject, admit the north line between the rivers, Cumberland and Tennessee, as the permanent division line between the two States at this point; and claim their right to the triangular territory on the road leading from Nashville to Lexington. As this arrangement is in perfect accordance with what has been hitherto known and acted upon as Walker's line by the border settlers of each State, I recommend that the line as run by Munsel and Bright, and ratified by the State of Kentucky, be recognized by you as the true and permanent line of boundary between the two States. As there is no law authorising the payment of the surveyor, chain carriers and markers, an appropriation for that purpose will be required at the present session.

The General Assembly of Mississippi passed a resolution at their last session, directing the Governor to appoint a suitable person to ascertain and designate the point, where the 35th degree of north latitude crosses the Mississippi river, for the purpose, as is alleged, of hereafter establishing the line between that State and Tennessee. The Governor addressed a letter to me, requesting the co operation of Tennessee in accomplishing the business. In reply, I informed him that I had no authority to make an appointment for that purpose; and requested him to delay the execution of the work, until after the commencement of your present meeting, expressing a conviction that you would authorise the appointment of some person to aid in procuring the information which he desired. Notwithstanding it is believed that the line as established by the commissioner of the United States in 1812, was run with great care and accuracy, yet the courtesy which is due to a sister State, would seem to require that some person of scientific attainments should be appointed to aid in ascertaining the true point at which the 35th degree of north latitude crosses the Mississippi.

It will be necessary at the present session to pass a law authorising the choice of electors to vote for President and Vice President of the United States; and in the performance of this duty, regard must be had to the act of Congress fixing the time at which the election is to be held, and also the period when the electors must meet for the purpose of voting. In order that we may have our full weight in the elections for President and Vice President hereafter, I would recommend that the general ticket system be adopted. It is true that no danger of division is to be apprehended at the approaching election; but in future when we may differ in our choice, an individual by the force of circumstances, may, under the arrangement by districts, obtain a plurality of electoral votes, to whom a majority of the States may be decidedly opposed.

Since the close of the last session, the following temporary appointments have been made;—William A. Cook, Esquire, Chancellor; Thomas H. Fletcher, Esquire, Secretary of State; Broomfield L. Ridley, Esquire, Attorney General for the fifth Solicitorial District; and Gideon J. Pillow, Esquire, Attorney General for the ninth Solicitorial District. These appointments were made to fill vacancies occasioned by the resignations of the former incumbents. As the commissions under which the present officers act, will expire at the end of this session, the duty of making permanent appointments will devolve upon you before your adjournment.

In casting a glance at the present condition of our State it is gratifying to observe its eminent prosperity. The rapidity of its recent growth, the important relative position it has attained among its sister States—the fertility of its soil, and the industry and enterprise of its citizens, afford abundant cause for grateful reflection and mutual congratulation. At no former period has the general welfare of our citizens been more obvious and satisfactory. With a rich profusion of the necessities and comforts of life, the hand of labor is now uniformly rewarded with an adequate return. Poverty and distress are unknown except as the result of indolence, crime, or of some peculiar casualty from the effects of which, relief is almost instantly attainable. It is a source likewise, of the utmost satisfaction, that in extending our views beyond the limits of our own State, we find ourselves citizens of a great federal republic, whose progressive improvement has been rapid and extensive beyond the example of any other nation, and whose condition at present, under the auspices of a chief magistrate, selected from among our own fellow citizens, affords all the blessings of freedom and protection at home, and furnishes an object of admiration and respect to the rest of the world. Blessed with peace, and the prospect of preserving it, and yet fully prepared for all the dangers and privations of war, with a commerce that renders tributary to us the resources of other nations—with a rich and overflowing treasury, and a national debt nearly extinguished, we have abundant cause of gratitude for the unprecedented success which has attended the experiment of our peculiar form of government, combining as it does, the strength and energy for national security and greatness, with the most perfect freedom and protection to the rights and interests of all.

WM. CARROLL.

EXECUTIVE OFFICE, }
Nashville, September 19, 1831. }

Mr. Kincaid submitted the following Resolutions, which were read at the Clerk's table: as follows, to wit:

Resolved, that so much of the Governor's Message as relates

to Banks, be referred to the Committee on Banks.

Resolved, that so much of said Message as relates to Roads and Navigation, be referred to the Committee on Internal Improvement.

Resolved, that so much of said message as relates to the Penitentiary, be referred to the Committee on the Penitentiary.

Resolved, that so much of said message as relates to the retailing of ardent spirits, be referred to the Committee on Propositions and Grievances.

Resolved, that so much of said message as relates to the Judiciary, be referred to the Committee on the Judiciary.

Resolved, that so much of said message as relates to the Kentucky line, be referred to a select Committee.

Ordered, that said Resolutions lie on the table.

Mr. Kincaid made a motion that 2000 copies of said message be printed, for the use of the members of this house.

Mr. James Gray moved to amend the said motion, by striking out the words 'two thousand,' for the purpose of inserting in lieu thereof the words 'three thousand.'

And the question being taken thereon, it was determined in the affirmative.

When, the question recurring on agreeing to the said motion as amended; and being put, it was determined in the affirmative.

And so, 3000 copies of the said message were ordered to be printed.

On motion of Mr. Turney,

Ordered, that the message of the Governor be referred to a Committee of the whole House, on the condition of the State, and be made the order of the day for Thursday next.

On motion of Mr. Wright,

Resolved, that a select Committee be appointed to be denominated the Committee on the Hiwassee lands.

On motion of Mr. M'Lean,

Resolved, that a select Committee be appointed to be denominated the Committee on the Western District lands.

On motion of Mr. Inge,

Resolved, that a select Committee be appointed, to be denominated the Committee on the Common School lands.

Mr. Turney submitted the following Resolution, to wit:

Resolved, that the Senate meet the House of Representatives, on Thursday the 22d inst. for the purpose of electing a Secretary of State.

Ordered, that said Resolution lie on the table until to-morrow.

Mr. Allen from the Committee appointed to contract for the job printing for the House, made the following Report, which was read at the Clerk's table, and concurred in by the House as follows, to wit:

C2 House.

The Committee appointed to contract for the job-printing of the House of Representatives, have received proposals for the same, from the several Editors of Newspapers in Nashville, and upon examination, find there is no difference in their prices. They have accepted the proposals of Allen A. Hall, Editor of the Republican, accompanying this Report.

Mr. Dunlap, from the Committee appointed to prepare rules of order for the government of the House, made a Report which was read at the Clerk's table, and after some time spent in the consideration thereof, on motion of Mr. Brown,

Ordered, that the 23d rule contained in said Report lie on the table

And then the House adjourned.

WEDNESDAY, SEPTEMBER 21, 1831.

The House took up the Report of the Committee appointed to prepare rules for the government of the House.

The said Report was read at the Clerk's table, and the following rules contained therein, were adopted by the House as follows, to wit.

THE DUTIES OF THE SPEAKER.

1. The Speaker shall take the chair every day at the hour to which the House shall have adjourned—shall call the members to order, and on the appearance of a Quorum, cause the journals of the preceeding day to be read. He shall preserve decorum & order—may speak to points of order in preference to other members. He shall decide questions of order, subject to an appeal to the house by any two members. He shall rise to put a question, but shall state it sitting—questions shall be distinctly put in this form, to wit: "As many as are of the opinion that (as the question may be) will say aye" and after the affirmative voice is expressed, "As many as are of a contrary opinion say no"—If the speaker doubt, or a division be called for by any two members, the House shall divide. Those voting in the affirmative shall first rise, and afterwards those in the negative.

All Committees shall be appointed by the speaker, unless otherwise ordered by the House; in which case they shall be appointed by ballot.

2 In case of any disturbance or disorderly conduct in the lobby, the Speaker or Chairman of the Committee of the whole House, shall have power to order the same to be cleared.

3 The house shall be deemed in session when the Speaker takes the chair; and if at any time there be not a Quorum, the memb-

ers present may take such course, as they may deem advisable, to secure the attendance of absent members.

4 If the Speaker shall at any time not be present, at the hour to which the House may have adjourned, they may call any member to the chair—who shall preside until the speaker arrives. The Speaker may at any time call any member to the chair, who shall preside until the speaker resumes his seat, or until the House shall have adjourned.

DECORUM AND ORDER IN DEBATE.

5. When any member is about to speak or present any matter to the House, he shall rise from his seat, uncovered, and address himself to 'Mr. Speaker' or 'Mr. Chairman' as the case may be, and await the notice of the Speaker or Chairman. The member rising first shall be entitled to the floor; and if two or more rise at the same time to address the chair, the Speaker or Chairman shall determine who is entitled to the floor.

If any member when speaking, or otherwise transgress the rules of the house, the speaker *shall*, or any member *may* call to order; in which case, the member so called to order, shall immediately sit down, unless permitted to explain; the House shall, if appealed to, decide on the case, but without debate; if there be no appeal, the decision of the chair shall be submitted to. If the decision be in favor of the member called to order, he shall be at liberty to proceed—if otherwise, and the case should require it, he shall be liable to the censure of the House.

6. No member shall speak more than twice on the same subject without leave of the house, nor more than once until every member choosing to speak, shall have spoken.

7. While the speaker is putting the question, no members shall walk out of, across, or otherwise disturb the house. When a member is speaking all private discourse is forbidden, and none shall pass between him and the chair.

8. No member shall vote in any question in which he is personally interested—No member shall vote on any question, when he was not within the bar, without leave of the house: nor shall any member be permitted to vote, after the decision of the chair has been announced. Every member who shall be in the house when the question is put, shall vote, unless excused by the house or forbid by the rules.

9. When a motion is made and seconded, it shall be stated by the speaker, or being in writing, it shall be handed to the chair, and read by the Clerk. Every motion shall be reduced to writing if the Speaker or any member desire it.

10 After a motion is stated by the Speaker, or read by the Clerk, it may be withdrawn by the mover before a decision or a

amendment, unless otherwise ordered by the house. No amendment shall be allowed to a bill foreign to its subject matter.

11. When a question is under debate no motion shall be received, but for the previous question, amendment, commitment or adjournment.

12. A motion to adjourn, and a call for the previous question shall always be in order and decided without debate.

13. When a question has been decided, any member voting in the majority may move to re-consider within two days from the decision. No question shall be re-considered but once.

14. No member shall absent himself from the service of the house without leave, or be sick and unable to attend.

15. A call of the house may be had at any time, by the request of five members.

16. The first member named on a Committee shall be the Chairman,

17. A bill may be withdrawn for amendment by leave of the house, but it shall be returned within three days.

18. The house at the request of five members, may be resolved into a Committee of the Whole on any question.

19. The following shall be standing Committees of the house, to wit:

The Committee on Education,

The Committee on Internal Improvement.

The Committee on the Judiciary,

The Committee on Propositions and Grievances,

The Committee on Finance,

The Committee on Military Affairs,

The Committee on Claims

The Committee on the Penitentiary

The Committee on Banks,

The Committee on Enrolled Bills,

The Committee on Captain's Companies and Justices of the Peace.

The Committee on Land Claims,

The Committee on Privileges and Elections,

MORNING BUSINESS.

20. Petitions are to be called for counties, beginning with the most eastwardly and progressing westwardly; and tax returns may be presented in the same order.

REPORTS.

21. Reports from standing Committees shall be next in order after petitions and tax returns, according to the order in which the Committees are named in the rules. Reports from select

Committees shall be next in order according to the order of time in which they are raised. The Committee for enrolled bills may report at any time after the business of the morning is through.

22. The Speaker may invite citizens or strangers to a seat within the bar, and shall have seats assigned them—but no person shall be permitted to mingle with the members while the House is in session.

23. The foregoing shall hereafter be the rules for the government of the House of Representatives until altered or rescinded by the present or a subsequent session.

INTERCOURSE BETWEEN THE TWO HOUSES.

24. All communications from one house to the other shall be transmitted by the Clerks respectively, and the Clerk who bears the communication, shall address the Speaker at the bar of the House to which he goes and inform him of the object of his message.

25. All Bills introduced into either house of the General Assembly, shall be read, and if passed, endorsed by the Clerk, and transmitted to the other house, according to the rules of each house.

26. Committees of Conference shall be appointed at the discretion of both houses.

On motion of Mr. Dunlap,

Ordered, that the 24th, 25th, and 31st rules as numbered and contained in said Report lie on the table.

Mr. Boddie made a motion to add the following as an additional rule for the Government of the House, to wit:

No member when addressing the Speaker or the chair, shall be permitted to use personal remarks or allusions towards any other member, or that are irrelevant to the subject before the House.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. Easley,

The House took up the Resolution submitted by him on the 19th inst. directing the appointment of a Committee on Divorces.

And the question being taken on agreeing thereto, it was determined in the affirmative.

On motion of Mr. Hurst,

Resolved, that a select Committee be appointed, to be denominated the Committee on New Counties and County Lines.

Mr. Claiborn introduced the following joint Resolution, which was read at the Clerk's table as follows, to wit:

Resolved, by the General Assembly of the State of Tennessee, that the President and Directors of the Bank of the State of

Tennessee be allowed until Monday next, to make their report of the state of the Bank.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith, and ask their concurrence therein.

On motion of Mr Allen,

Resolved that the Committee on the judiciary be instructed to examine into and report, whether any and if any, what defects exist in the present organization of the Supreme Court of Errors & Appeals of this State—Also, as far as practicable, what delays of business, if any, have taken place in said court, and the cause or causes thereof—Also, that said Committee report all such facts as can be ascertained, calculated to show whether said court, as at present organized, can dispose of the business on their dockets, with proper dispatch and correctness.

The Speaker proceeded to the appointment of the standing Committees—and

The Committee on Education was appointed, consisting of Mr. Boddie, Mr. Kincaid, Mr. Hurst, Mr. Dunlap, Mr. Carriger, and Mr. Dickerson.

A committee on Internal Improvement was appointed, consisting of Mr. Dunlap, Mr. Young, Mr. Tipton, Mr. Kincaid, Mr. Dickerson, Mr. Inge, Mr. Dobbins, Mr. Holland, and Mr. Joel R. Smith.

A Committee on the judiciary was appointed, consisting of Mr. Brown, Mr. Allen, Mr. Cheatham, Mr. Claiborne, Mr. Dew, Mr. Dickinson, Mr. Turney, Mr. Inge, Mr. Dunlap, and Mr. Holland.

A committee on Propositions and Grievances was appointed, consisting of Mr. M'Gaughey, Mr. Vernon, Mr. Stockton, Mr. Parris, Mr. Easley, Mr. Harden, and Mr. George Gray.

A Committee on Finance was appointed, consisting of Mr. Claiborne, Mr. Brown, Mr. Maury, and Mr. James Gray.

A Committee on Military Affairs was appointed, consisting of Mr. Cheatham, Mr. Dunlap, Mr. M'Farland, Mr. James Gray, Mr. Gowen, Mr. Dobbins, Mr. Alexander E. Smith, Mr. Gordon and Mr. Joel R. Smith.

A Committee on Claims was appointed, consisting of Mr. Watkins, Mr. Gordon, Mr. Joel R. Smith, Mr. Hurst, Mr. Young, Mr. Roberson, and Mr. Rogers.

A Committee on the Penitentiary was appointed, consisting of Mr. Allen, Mr. Roberson, Mr. Turney, Mr. Nevins, Mr. Rogers, Mr. Dew, Mr. Gillespie, Mr. Boddie, and Mr. Dobbins.

A Committee on Banks was appointed, Consisting of Mr. Kincaid, Mr. Tipton, Mr. James Gray, Mr. Wright, Mr. Vernon, Mr. Alexander E. Smith, Mr. M'Lean and Mr. Easley.

A Committee of Enrolled Bills was appointed, consisting of *Mr. Carriger* and *Mr. Cheatham*.

A Committee on Captain's Companies and justices of the Peace was appointed, consisting of *Mr. Nevins*, *Mr. Easley*, *Mr. Dobbins*, *Mr. Parris* and *Mr. Watkins*.

A Committee on Land claims was appointed, consisting of *Mr. Gordon*, *Mr. Wright*, *Mr. Maury*, *Mr. Carriger*, *Mr. Gillespie*, *Mr. M'Lean*, *Mr. Gordon*, and *Mr. George Gray*.

A committee on privileges and elections was appointed consisting of *Mr. Turney*, *Mr. Gillespie*, *Mr. Dew*, *Mr. Carriger*, and *Mr. Roberson*.

The Speaker further proceeded to the appointment of the select committees, and

A committee on the Western District lands was appointed consisting of *Mr. McLean*, *Mr. Hardin*, *Mr. Holland*, *Mr. Joel R. Smith*, *Mr. Parris*, *Mr. Nevins*, *Mr. McGaughey* and *Mr. James Gray*.

A Committee on the Hiwassee lands was appointed consisting of *Mr. Wright*, *Mr. Hurst*, *Mr. Vernon*, *Mr. Stockton*, *Mr. George Gray*, *Mr. Easley* and *Mr. McFarland*.

A Committee on Divorces was appointed consisting of *Mr. Easley*, *Mr. Turney*, *Mr. Gordon*, *Mr. Hardin*, *Mr. Roberson* and *Mr. Rogers*.

A Committee on the Mississippi line was appointed consisting of *Mr. Dickinson*, *Mr. Inge*, *Mr. Turney*, *Mr. Brown*, *Mr. Maury*, *Mr. Dew*, *Mr. Young*, *Mr. McFarland*, *Mr. Alexander E. Smith*, *Mr. McLean* and *Mr. Gordon*.

A Committee on the Kentucky line was appointed, consisting of *Mr. James Gray*, *Mr. Turney*, *Mr. Rogers*, *Mr. Watkins*, *Mr. Nevins*, *Mr. Holland*, and *Mr. Allen*.

A Committee on School lands was appointed consisting of *Mr. Inge*, *Mr. Wright*, *Mr. George Gray*, *Mr. Hurst*, *Mr. Kincaid*, *Mr. Vernon*, *Mr. Stockton* and *Mr. Parris*.

A Committee on new counties and county lines was appointed, consisting of *Mr. Hurst*, *Mr. McFarland*, *Mr. Nevins*, *Mr. Turney*, *Mr. Joel R. Smith* and *Mr. Young*.

A message from the senate by *Mr. Hill* their Clerk.

Mr. Speaker - The Senate nonconcur in the Resolution of this House allowing the President and Directors of the Bank of the State of Tennessee until Monday next to make their Report on the condition of the Bank. The Senate have adopted a Resolution directing the Secretary of State to deliver to the Doorkeepers of each house such books, papers and documents as may be required by the General Assembly, in which they ask the concurrence of this House. And then he withdrew.

The House took up the Resolution contained in the aforesaid

message of the Senate, and the question being taken on agreeing thereto, it was determined in the negative.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Gordon introduced the following Resolution, to-wit:

Resolved, That the Clerk furnish for the use of this House, two Maps of this State of the most recent and authentic description.

Ordered, That said Resolution lie on the table.

Mr. James Gray introduced a bill to amend the stray laws.

Mr. Young introduced a bill to amend an act passed January 5, 1830, entitled "an act to authorize a tax to be laid on the county of Hawkins to build a court house."

Mr. Gillespie introduced a bill concerning the distribution of Haywood's and Cobb's Revisal.

Mr. Turney introduced a bill to amend the law now in force regulating appeals in Equity.

Mr. Holland introduced a bill to appropriate certain monies to the improvement of the navigation of Big Sandy River.

Mr. McLean introduced, a bill to establish a separate battalion in the county of Haywood, and for other purposes; and

Mr. Maury introduced a bill to repeal an act entitled "an act to explain and amend an act entitled 'an act to regulate certain proceedings on executions, and for other purposes, passed November 27, 1829.'"

Which bills were read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Turney the House took up the Resolution to provide for the election of Secretary of State.

Mr. Dunlap made a motion to amend the said Resolution by striking out the word "Thursday," for the purpose of inserting in lieu thereof the word "Saturday."

Mr. Kincaid made a motion to amend the said Resolution, by striking out the words "Thursday next" for the purpose of inserting in lieu thereof the words "6th day of October next,"—which motion having preference, and the question being taken thereon, it was determined in the negative.

Whereupon, Mr. Dickinson made a motion to amend the said Resolution by striking out the words "Thursday next," for the purpose of inserting in lieu thereof the words "Thursday the 29th inst."

And the question being taken thereon, it was determined in the affirmative.

The question recurring on agreeing to the said Resolution as amended, and being put, it was determined in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Vernon, from the Select committee appointed to contract

or stationary for this House made the following report which was read at the Clerk's table and concurred in by the House, as follows, to wit:

The Committee appointed to contract for stationary for the House of Representatives, during the present session, report that they have accepted the proposals of Duncan Robertson, prices and samples of which have been delivered to the clerk of this house.

On motion of Mr. Dunlap the House took up a bill to abolish imprisonment for debt, which bill was read the first time and passed.

On motion of Mr. McGaughey the house took up a bill giving further time for surveying entries and obtaining grants thereon, which bill was read the first time and passed.

Ordered, That the clerk acquaint the Senate therewith.

Mr Dew introduced a resolution appointing Thomas P. Holman, James M. Cloyd, James M. Martin, Fergus S. Harris, Fayner Spradlin, Shadrick C. Smith and Silas Farrer Justices of the peace for Wilson county.

And the question being taken on agreeing thereto it was determined in the affirmative.

Ordered, That the clerk acquaint the Senate therewith and ask their concurrence therein.

Mr. Young introduced the following Resolution, to wit:

Resolved, That all resolutions introduced in this house, shall lie one day upon the table before the question is taken upon their adoption,

And the question being taken thereon it was determined in the negative, and so the said resolution was rejected.

On motion of Mr. Kincaid,

Ordered, That the resolutions introduced by him on yesterday on the subject of the Governor's message be referred to the committee of the whole house, to which was referred the said message.

Mr. Claiborne introduced the following resolutions, to wit:

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of amending the laws upon the subject of patrols.

Resolved, That the said committee be instructed to enquire into the expediency of amending the laws now in force in relation to the introduction of slaves into this State.

Resolved, That the said committee be instructed to enquire into the expediency of passing a law on the subject of the migration of free people of color into this State, and that said committee report by bill or otherwise.

On motion of Mr. Dunlap,

Ordered, That said Resolutions lie on the table.

D HOUSE.

Ordered, That the Clerk have 40 copies of the rules of this house, and 40 copies of the committees printed for the use of the House.

And then the house adjourned.

THURSDAY, SEPTEMBER 22, 1831.

Mr. Carriger presented the county court Clerk's return of Carter county of tax list, taxable property, and fees for the year 1831. And a petition of Carrick W. Nelson praying the passage of an act directing a portion of merchant's licences paid in 1830 to be refunded to him.

Ordered, That said return be referred to the committee of Finance, and said petition to the committee of claims.

Mr. Young presented the return of the Clerk of the Chancery court at Rogersville, and the return of the clerk of the circuit court of Hawkins county.

Ordered, That said returns be referred to the committee of Finance.

Mr. Megaughey presented the return of the clerk of the Chancery court at Greeneville, also the return of the clerk of the circuit court of Greene county, and the return of the clerk of the county court of Greene, of taxable property, and number of Captains' companies and Justices of the Peace in Greene county, for the years 1829 and 1830.

Ordered, That the tax returns of said clerks be referred to the committee of Finance, and the return of Captains' companies and Justices of the peace to the committee of Captains' companies and Justices of the Peace.

Mr. Rogers presented the returns of the clerks of the circuit and county court of Campbell county; also the return of the county court clerk of Captains' companies and Justices of the peace in Campbell county.

Ordered, That the tax returns of said clerks be referred to the committee of Finance, and the return of Captains' companies and Justices of the peace to the committee of Captains' companies and justices of the Peace.

Mr. Turney presented the tax returns of the Clerk of Fentress county court for 1829, and 1830.

Ordered, that said return be referred to the Committee of Finance.

Mr. Nevins presented the returns of the Clerks of the county and circuit courts from Jackson county, and the return of Captain's companies and justices of the peace for Jackson county.

Ordered, that the tax returns of said Clerks be referred to the

Committee of Finance, and the return of Captain's companies and justices of the peace, to the Committee on Captain's companies and justices of the peace.

Mr. Allen presented the returns of the county court Clerk of Smith county of tax lists and justices of the peace.

Ordered, that the said tax list be referred to the Committee of Finance, and the return of Captain's companies to the Committee of Captain's companies and justices of the peace.

Mr. Claiborne presented the return of the Circuit court Clerk of Davidson county.

Ordered, that said return be referred to the Committee of Finance.

Mr. Dobbins presented the petition of Joseph Brown, praying compensation for lost land,

Ordered, that said petition be referred to the Committee of Land claims.

Mr. Cheatham presented the tax returns and justices of the peace from the county court Clerk of Robertson county.

Ordered, that said tax returns be referred to the Committee of Finance, and the returns of Captain's companies and justices of the peace to the Committee of Captain's companies and justices of the peace.

Mr. Gordon presented the tax returns of the circuit and county court Clerks, and the county court Clerk's return of Captain's companies and justices of the peace of Hickman county.

Ordered, that the said tax returns be referred to the Committee of Finance, and the return of Captain's companies to the Committee of Captain's companies and Justices of the Peace.

Mr. James Gray presented the tax return of the Clerk of the Supreme court at Reynoldsburg.

Ordered, that said return be referred to the Committee of Finance.

Mr. M'Lean presented the tax return of the county court Clerk of Tipton county, also the tax returns of the county and circuit court Clerks of Haywood county, and the tax returns of the county and circuit court Clerks of Madison county.

Ordered, that said tax returns be referred to the Committee of Finance.

Mr. Harden introduced a bill for the relief of Occupants south and west of the congressional reservation line, and for other purposes.

Mr. Parris introduced a bill to authorize Rock Island William Martin to build a bridge across Collin's river.

Mr. Maury introduced a bill further to define and extend the jurisdiction of Justices of the Peace.

Mr. Nevins introduced a bill, to alter the name of Eli Murray Slinker—and

Mr. Turney introduced a bill, more effectually to prevent frauds and to extend the remedy against hardships.

Which bills were severally read the first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

The House resolved itself into the Committee of the whole on the condition of the State, and after sometime spent therein, the Speaker resumed the chair, and Mr. Claiborne reported that the Committee had, according to order, had the Governor's message under consideration, and come to sundry resolutions thereon, to wit:

1 *Resolved*, That so much of the Governor's message as relates to Banks be referred to the Committee on Banks.

2. *Resolved*, that so much of said message as relates to Internal Improvement be referred to the Committee on Internal Improvement.

3. *Resolved*, that so much of said message as relates to the Penitentiary, be referred to the Committee on the Penitentiary.

4. *Resolved*, that so much of said message as relates to the retailing of ardent spirits, be referred to the Committee of Propositions and Grievances.

5 *Resolved*, that so much of said message as relates to the Judiciary, be referred to the committee on the Judiciary.

6 *Resolved*, that so much of said message as relates to the Kentucky line, be referred to the Committee on the Kentucky line.

7 *Resolved*, that so much of said message as relates to the Mississippi line, be referred to the Committee on the Mississippi line.

8 *Resolved*, that so much of said message as relates to the choice of electors for President and Vice President of the United States, be referred to a select committee.

These Resolutions were again read at the Clerk's table, and concurred in by the House. and

Mr. Brown, Mr. Dunlap, Mr. Carriger, Mr. Dickinson, Mr. Holland, and Mr. Joel R. Smith, were appointed a committee in pursuance of the 8th Resolution.

On motion of Mr. Dew,

Resolved, that a select Committee be appointed, to be denominated the Committee on Usury and Exchange; and

Mr. Dew, Mr. Boddie, Mr. Claiborne, Mr. Gowen, Mr. Watkins, and Mr. Stockton, were appointed a committee in pursuance of said Resolution.

On motion of Mr. M'Gaughey,

The House took up the Resolution submitted by him directing the appointment of a Committee on Retrenchment.

And the question recurring on Mr. Boddie's motion to amend the said Resolution, by striking out the words "of the evil list," and being put, it was determined in the affirmative.

And Mr. McGaughey, Mr. McFarland, Mr. Maury, Mr. Boddie and Mr. Gillespie, were appointed a committee in pursuance of said Resolution.

Mr. Dunlap introduced a Resolution providing for the election of the several Treasurers of this State on the 29th inst.

On motion of Mr. Hurst,

Ordered, that said resolution lie on the table until Monday next.

Mr. Allen introduced the following resolution, to wit:

Resolved, that no election for Solicitor shall be gone into before the first day of Nov. next.

On motion of Mr. Vernon,

Ordered, that said Resolution lie on the table until to-morrow.

A message from the Senate, by Mr. Hill, their Clerk.

Mr. Speaker

The Senate concur in the Resolution of this house, to go into the election of Secretary of State on Thursday the 29th inst. The Senate also concur in the Resolution of this House of the 21st inst. appointing Justices of the Peace for Wilson county.

And then he withdrew.

Mr. Stockton introduced a bill giving to the purchasers and enterers of land in the Hiwasse district, further time to obtain their grants.

Mr. McGaughey introduced a bill to allow Justices of the Peace compensation in cases of damage and bastardy.

Mr. Vernon introduced a bill to incorporate an academy in the county of Hamilton.

Mr. Nevins introduced a bill to extend the jurisdiction of justices of the peace.

Mr. Turney introduced a bill to prevent Clerks, Sheriffs and constables, from speculating upon funds in their offices, and for other purposes—and

Mr. Parris introduced a bill for the benefit of securities.

Which bills were severally read a first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Carriger, from the committee of enrolments, reported a Resolution appointing justices of the peace for the county of Wilson truly enrolled.

The Speaker signed the said Resolution.

Ordered, that the Clerk acquaint the Senate therewith.

And then the House adjourned.

FRIDAY, SEPTEMBER 23, 1831.

The Speaker laid before the House the returns of the county and circuit court clerks of Fayette and Montgomery counties.

D2 HOUSE.

Ordered, that said returns be referred to the committee of Finance.

Mr. Carriger presented the return of the clerk of Carter county of captain's companies and justices of the peace in Carter county—and a petition of E. C. Jones, praying the passage of an act authorizing him to prove his accounts of twenty dollars and under by his own oath—Also a petition of Benjamin Drain, praying the passage of an act authorising him to make void an entry and satisfy the warrant south and west of the congressional reservation line.

Ordered, that said resolution be referred to the committee of Captain's companies and Justices of the Peace—the first of said petitions to the committee of Propositions and Grievances—and the last of said petitions to the committee on Land claims.

Mr. Young presented a petition of R. H. Williams, praying a divorce from his wife Ann.

Ordered, that said petition be referred to the committee on Divorces.

Mr. M'Gaughey presented a petition of Josiah Morgan praying to be divorced from his wife Jemima.

Ordered, that said petition be referred to the committee on Divorces.

Mr. Easley presented the county court Clerk's tax returns of Grainger county.

Ordered, that said return be referred to the committee of Finance.

Mr. Rogers presented the petition of Sally Misingo, praying to be divorced from her husband Charles Misingo; also a petition of Charles McDonald, praying the passage of an act authorizing him to hawk and peddle without license; also a petition of sundry citizens of Campbell, Morgan and Fentress counties, praying the establishment of a new county.

Ordered, that the first of said petitions be referred to the committee on divorces—the second of said petitions to the committee on Propositions and grievances; and the third of said petitions to the committee on new counties and county lines.

Mr. Alexander E. Smith presented the tax returns of the county and circuit court Clerks of Cocke and Sevier counties;—also the returns of Captains' companies and justices of the peace in said counties.

Ordered, That the tax returns be referred to the committee of Finance—and the balance of said returns be referred to the committee on Captains' companies and Justices of the Peace.

Mr. Dunlap presented the return of the clerk of the Supreme Court at Knoxville—also the tax returns of the county court clerk of Anderson county—and the number of Captains' companies and Justices of the Peace in said county—also resolutions

from the East Tennessee Rail road convention—also the report of the Secretary of State of the numerous resignations of Militia Officers.

Ordered, That the said tax returns be referred to the committee of Finance, of Captains' companies to the committee of Captains' companies and Justices of the Peace, the resolutions of the Rail road convention to the committee on Internal Improvements; and the Secretary's report to the committee on Military Affairs.

Mr. Gillespie presented returns from the county and Circuit court Clerks of Blount county.

Ordered, That said returns be referred to the committee of Finance, and committee of Captains' companies and Justices of the Peace.

Mr. Stockton presented returns from the county and circuit Clerks of Morgan county.

Mr. Hurst presented the return of the circuit court Clerk of McMinn county.

Ordered, That said returns be referred to the committee of Finance and committee of Captains' companies and Justices of the Peace.

Mr. Wright presented a petition of John Grimes praying the passage of an act authorising him to keep the Register's Office of Monroe county without the limits of the town of Madisonville.

Ordered, That said petition be referred to the committee of Propositions and grievances.

Mr. Vernon presented the returns of the county court Clerk of Hamilton county.

Mr. George Gray presented the Clerk's returns of the county court of Franklin.

Mr. Watkins presented the returns of the county and circuit court Clerk of Sumner county.

Mr. James Gray presented the returns of the county court Clerk of Stewart County.

Mr. Dobbins presented the return of the circuit court Clerk of Maury county.

Mr. Turney presented a return of the county court Clerk of Fentress county, of the number of Captains' companies and Justices of the Peace.

Mr. Joel R. Smith presented a return of the county court Clerk of Dyer county.

Ordered, That said tax returns be referred to the committee of Finance, and said returns of Captains' companies and Justices of the Peace to the committee on captains' companies and Justices of the Peace.

Mr. Allen presented a petition of sundry citizens of Smith county praying the passage of an act authorising William Pope

to retail groceries without license.

Ordered, That said petition be referred to the committee on Propositions and Grievances.

Mr. Dew presented a petition of Thomas Miles, praying the issuance of a duplicate warrant for one hundred and sixty-one acres of land; also a petition of Wyly W. Scruggs, praying to be divorced from his wife Harriet; also a petition of Henrietta Mitchell, praying to be divorced from her husband Henry Mitchell; also a petition of Mary Ramsey, praying the passage of an act extending to her the privileges of a feme sole—and a return of the county court Clerk of Captains' companies and Justices of the Peace for Wilson county.

Ordered, That the first of said petitions be referred to the committee on land claims—the second and third of said petitions to the committee on divorces—the fourth of said petitions to the committee on Propositions and Grievances—and the Clerk's return to the committee on Captains' companies and Justices of the Peace.

Mr. McLean presented a petition of sundry citizens of Madison county, praying the passage of an act extending to James L. Wright the privileges of a free dealer—and a return of the county court Clerk of Haywood of the number of Captains' companies and Justices of the Peace.

Ordered, That said petition be referred to the committee on Propositions and Grievances, and said return to the committee on Captains' companies and Justices of the Peace.

A message from the Senate by Mr. Hill their clerk.

Mr. Speaker:—

I am directed to deliver to this house a communication from the Governor with its accompanying documents—and also the report of the commissioners appointed at the last session of the General Assembly to superintend the building of the Penitentiary.

And then he withdrew.

The communication of the Governor was read at the clerk's table, and is as follows, to wit:

Fellow-Citizens of the Senate,

and of the House of Representatives:

I transmit herewith the report of Samuel G. Smith, Esquire, of the examination of the Agencies of the State Bank in West Tennessee, made in compliance with a resolution of the last session—also the report of Captain Dumeste, of a survey and estimate of the expense of removing the obstructions to navigation at the Suck, Boiling Pot and Tumbling Shoals, in the Tennessee river.

WM. CARROLL

EXECUTIVE OFFICE,
Nashville, 22d Sept. 1831. }

Ordered, That the report of Samuel G. Smith be referred to the committee on Banks.

The report of the commissioners of the Penitentiary to the committee on the Penitentiary.

And the report of Captain Dumeste to the committee on Internal Improvements.

Mr. Watkins from the committee on claims reported a bill for the benefit of Carriek W. Nelson of Carter county.

Which bill was read a first time and passed.

Ordered, That the clerk acquaint the Senate therewith.

A message from the Senate by Mr. Hill their clerk.

Mr. Speaker:—The Senate nonconcur with the third rule reported by the committee appointed to prepare rules for the intercourse between the two branches of the General Assembly; which provides, that each house shall mature its own bills and resolutions previous to their being transmitted to the other.

The Senate have adopted a resolution to count the votes for Governor on the 24th inst. in the hall of the House of Representatives, in which they ask your concurrence. And then he withdrew.

The House took up the resolution contained in said message, and on motion of Mr. Inge, ordered to lie on the table.

Mr. Dunlap introduced a bill to extend the New River and Lynchburg Rail Road to Knoxville.

Ordered, That said bill with its accompanying documents, be referred to the committee on Internal improvements.

Mr. Parris introduced a bill for the benefit of Aaron Higgenbotham. Mr. Dobbins introduced a bill for the benefit of Arky Y. Partee and Barsheba G. Partee. Mr. Carriger introduced a bill for the relief of Elizabeth Young. Mr. Joel R. Smith introduced a bill to amend an act passed at the last session of the General Assembly on the subject of delivery bonds. Mr. George Gray introduced a bill to amend the laws relating to judgments and executions rendered by Justices of the Peace. Mr. Stockton introduced a bill to amend an act concerning the Register of the Hiwassee district, passed October 22d, 1827.

Which bills were severally read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Dobbins the House took up the resolution introduced by Mr. Allen postponing the election of solicitors until the first of November next.

And the question being taken on agreeing thereto it was determined in the negative.

On motion of Mr. Dickinson,

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of limiting all appeals from the county to the circuit courts in this State, in all cases requiring

the intervention of a Jury to questions of law only.

Mr. Brown introduced the following resolutions, to wit:

Resolved, That the committee on the Penitentiary be instructed to enquire whether any, and if any, what crimes are now punished by confinement in the Jail and Penitentiary house, which public policy requires should be punished otherwise.

Resolved, That said committee enquire whether any, and what amelioration should take place in the treatment and management of the prisoners therein, and whether any rules of government and discipline have been adopted not specifically authorized by law, and if so, report said rules to this House.

Resolved, That said committee enquire into the expediency of so amending the Penitentiary code, that some portion of the profits arising from the labors of each convict may be set apart and appropriated to the use and benefit of the wife and children of such convict, if any he may have, after first paying all costs and charges of conviction and any other expences to which the State may have been subjected.

On motion of Mr. Allen,

Ordered, That said resolutions lie on the table.

Mr. Young introduced the following resolution, to wit:

Resolved, That the Senate meet the house of Representatives on the 29th inst. for the purpose of electing a public printer.

On motion of Mr. Brown,

Ordered, That said resolution lie on the table.

On motion of Mr. Carriger,

Resolved, That the Judiciary committee be instructed to enquire into the expediency of abolishing the separate Chancery courts.

Mr. Vernon introduced the following resolution, to wit:

Resolved, That the Senate meet the House of Representatives on the 29th instant for the purpose of electing a Solicitor for the 11th district.

Ordered, That said resolution lie on the table until to-morrow.

Mr. Dunlap introduced the following resolutions, to wit:

Resolved, That the committee on education be instructed to enquire into the expediency of modifying and amending the laws in relation to the Academies in this State, and that said committee enquire into the expediency of prohibiting the trustees of the several academies from wasting or expending the principal of the money of said academies, and requiring the trustees of the academies to apply the interest of the academy fund exclusively to the purchase of books, maps, globes, and such apparatus as will in their opinion be most useful in promoting education.

Resolved, That said committee be instructed to enquire into the expediency of adopting some plan whereby the money and property of the East Tennessee College and Nashville University

shall be preserved; and that said committee enquire into the expediency of prohibiting the President and Trustees of said College and University from applying any part of the capital of the funds of said College and University to the payment of salaries to the President and other officers;—and that said committee designate some plan for the application of the interest of the money of said institutions for the regular purchase of books, apparatus, &c. suitable for said institutions.

On motion of Mr. Brown,

Ordered, that said resolutions lie on the table until Monday next.

On motion of Mr. M'Lean,

Resolved. that the committee on the Judiciary be instructed to inquire into the expediency of repealing all laws establishing a Supreme court of Errors and Appeals in this State.

Mr. Inge introduced the following preamble and resolutions, which were read at the Clerk's table as follows, to wit:

The General assembly of the State of Tennessee deem it not only a right but a duty, on all suitable occasions, to express their opinions of the administration of the General Government; this is proper when the measures of that Government merit either censure or praise. If the Government be injudiciously administered, it may have a tendency to correct abuses; and if well conducted, it may operate as an encouragement to those in power to persevere in well doing.

It is not the intention of this General Assembly to go into an historical detail of the acts of the present administration; it is sufficient to remark, that in no period of our political history have diplomatic skill and success, so remarkably distinguished any former administration.

Among other fortunate arrangements, a treaty has been made with Great Britain, securing a beneficial and profitable trade with the West India Islands.

A Treaty, for the first time, has been effected with the Turkish empire, by which a new theater has been opened for the commercial enterprise of our citizens.

From Denmark and France an indemnity has been procured for spoliation committed on our commerce.

Many treaties have been made with the Indian tribes within our limits, by which that unfortunate race will be better provided for and the cause of humanity promoted, and the different States disencumbered of a population inconvenient and troublesome to them.

The *Veto* of the President of the United States to the Maysville and Lexington Turnpike Road-bill, meets with the decided approbation of this General Assembly. Without going into a discussion of the question whether the General Government pos-

ses the power to make such appropriations of the public money, it can readily be discerned, that such measures are calculated to distract and corrupt the public councils of the Union.

As to the dissolution of the late cabinet, this Assembly will not stoop to the enquiry whence or from whom discord originated; it is enough that it existed, not only to justify but to require it as a duty, from the Chief Magistrate, to dismiss from his councils the men between whom harmony could not prevail.

We also approve of the sentiments frequently expressed by the present Chief Magistrate, in which he disapproves of the dangerous doctrine of consolidation, and of that not less injurious to our institutions, called *Nullification*.

The promised hand of reform has been applied to existing abuses, and a due degree of accountability in the different departments and officers of the Government has been secured.

The nation cannot too highly appreciate the exertions used by the Chief Magistrate to produce a speedy extinguishment of the public debt.

These are some of the reasons which have an influence on the General Assembly in adopting the following resolutions.

1. *Resolved*, that the General Assembly of Tennessee, highly approve the course pursued by the General Government since the present chief magistrate came into power.

2. *Resolved*, that the best interest of the United States calls for the services of General Andrew Jackson for a second Presidential term.

3. *Resolved*, that the members of this General Assembly will use all fair and honorable means to promote the re-election of the present chief magistrate, against any and every competitor whose claims may be presented in opposition to him.

Ordered, that said preamble and resolutions lie on the table.

And then the House adjourned.



SATURDAY, SEPTEMBER 24, 1831.

The Speaker laid before the House, a report from the Judges of the Supreme court of Errors and Appeals, in obedience to a resolution of the General Assembly at the session of 1829, requesting the opinion of the Judges of said court upon the powers of the legislature to sell and convey the school lands reserved for the education of children by virtue of the compact of 1806, between the States of Tennessee and North Carolina, and the United States.

Ordered, that said Report with its accompanying documents be referred to the committee on common school lands.

Mr. M'Gaughey presented a petition of Peter Dillon, and a pe-

tition of Isaiah M. Stewart, severally praying the passage of acts authorizing them to hawk and peddle without license

Ordered, that the said petitions be referred to the Committee on Propositions and Grievances.

Mr. Rogers presented a petition of Rhoda Dosset, praying to be divorced from her husband, Moses Dosset.

And a petition of sundry citizens of Campbell county, praying the removal of fish traps and dams out of Clinch river.

Ordered, That the first of said petitions be referred to the committee on divorces, and the last of said petitions to the committee on Internal Improvement.

Mr. Dunlap presented a petition of William Philips, praying to be divorced from his wife Elizabeth. And an application of George W. Churchwell, for compensation as counsel for the State in the case of William Lowry and others, against Miller Francis, Treasurer of East Tennessee.

Ordered, That said petition be referred to the committee on divorces—and the account of George W. Churchwell to the committee on claims.

Mr. Hurst presented a petition of Robert Cowan, praying the passage of an act indemnifying him for the loss of an occupant claim on a quarter section of land in the Hiwassee district, granted by the State to the heirs of David Thompson—and a petition of Isaac Lowe, praying the passage of an act directing the Treasurer of East Tennessee to refund him the sum of \$9 82 1-4 cents, wrongfully paid to the State, for lands purchased at the Hiwassee land sales.

Ordered, That the first of said petitions be referred to the committee on the Hiwassee lands, and the last of said petitions to the committee on claims.

Mr. Vernon presented the returns of the county court Clerk of Rhea county, of tax lists, Captains' companies and Justices of the peace.

Ordered, That said returns be referred to the committee of Finance and Captains' companies and Justices of the Peace.

Mr. Furney presented the tax return of the circuit court Clerk of Fentress county. And a petition of Thomas Conway, praying to be divorced from his wife Frances.

Ordered, That said return be referred to the committee of Finance, and said petition to the committee on divorces.

Mr. Boddie presented a petition of Eveline Ball, praying to be divorced from her husband James Ball.

Ordered, That said petition be referred to the committee on divorces.

Mr. Allen presented the tax return of the circuit court Clerk of Smith county, and a report from the clerk of the circuit court of said county, shewing the number of suits docketed in said

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court from April term, 1825, to October term, 1830, in compliance with a resolution of the General Assembly at the session of 1829.

Ordered, That said tax return be referred to the committee of Finance, and said report to the committee on the Judiciary.

Mr. Cheatham presented a petition of Benjamin Tatum praying the passage of an act authorizing him to hawk and peddle without license.

Ordered, That said petition be referred to the committee of Propositions and grievances.

Mr. Claiborne presented a petition of John Overton, praying the passage of an act directing the commissioner to issue him land warrants to be satisfied out of the vacant lands in the State, on account of warrants formerly issued by William McLin, Secretary of State.

Ordered, that said petition be referred to the committee on land claims.

Mr. Dew presented a petition of Thomas L. Bonner, praying the passage of an act to legitimate Elizabeth Drew, Sarah Hicks, and John Alfred.

Ordered, That said petition be referred to the committee of Propositions and grievances.

Mr. James Gray presented a petition of Elizabeth Evans, praying to be divorced from her husband, Alfred Evans.

Ordered, That said petition be referred to the committee on divorces.

Mr. Joel R. Smith presented a petition of sundry citizens of Gibson county, praying a change in the Judiciary system of this State. And a petition of sundry citizens of Carroll county, praying the passage of an act authorizing Lewis Johnson to keep an ordinary in Carroll county.

Ordered, That the first of said petitions be referred to the committee on the Judiciary, and the last of said petitions to the committee on Propositions and Grievances.

Mr. Boddie introduced a bill concerning guardians. Mr. James Gray introduced a bill to authorize the Entry Taker of Perry county to keep his Office at his own house. Mr. Hardin introduced a bill to secure to poor persons the means of supporting their families. Mr. Parris introduced a bill more effectually to secure the payment of just debts. Mr. Dew introduced a bill making provision for Guardians. Mr. Cheatham introduced a bill to amend an act passed December 11, 1827, entitled 'an act for the relief of the heirs of persons dying intestate. And Mr. Turney introduced a bill for the benefit of the heirs and creditors of James Pea.

Which bills were severally read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Claiborne,

The House took up the resolutions introduced by him on the 21st inst. containing certain instructions to the committee on the Judiciary.

And the question being taken on agreeing thereto, it was determined in the affirmative.

The following bills from the Senate were taken up by the House, read the first time and passed, to wit:

A bill to equalize the tax on merchants and auctioneers. A bill for the relief of James Scarborough. A bill giving further time for surveying entries and obtaining grants. A bill to extend the corporation laws of the town of Kingston. A bill to repeal an act passed December 7, 1829, chap. 29, more effectually to provide for emancipating slaves. A bill for the benefit of Custus Oneal. A bill to amend the laws on the subject of public roads. A bill to amend an act entitled 'an act for the relief of Sheriffs, passed Nov. 6th, 1811. A bill to repeal part of the act of 1827, chap. 9. A bill to repeal an act entitled 'an act to provide a method to help & speed poor persons in obtaining their just rights.' A bill to amend the laws on the subject of delivery bonds.

Ordered, That the Clerk acquaint the Senate therewith.

A bill from the Senate to repeal an act entitled 'an act more effectually to provide for the poor,' was read a first time, amended on motion of Mr. Turney, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The house took up a bill to abolish imprisonment for debt, and the said bill was amended on motion of Mr. Allen, and ordered to lie on the table.

A bill to appropriate certain money to the improvement of Big Sandy river. A bill to amend an act entitled 'an act to authorize a tax to be laid in the county of Hawkins to build a court house, passed January 5, 1830.' A bill to incorporate an Academy in the county of Hamilton. And a bill to authorize William Martin to build a bridge across Collins's river.

Were severally read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Ordered, That Mr. Ingé have leave to withdraw for amendment a bill to prevent Clerks, Sheriffs, and constables, from speculating upon funds in their Offices, and for other purposes.

Mr. Hurst a bill giving the purchasers of land in the Hiwassee district further time to obtain their Grants.

Mr. Dew a bill for the benefit of securities. And,

Mr. Dunlap a bill to establish a separate battalion in the county of Haywood, and for other purposes.

The House took up a bill for the relief of occupants south and west of the Congressional Reservation line.

On motion of Mr. James Gray,

Ordered, That said bill be referred to the committee on the Western District lands.

The House took up a bill to extend the jurisdiction of Justices of the Peace.

On motion of Mr. Inge,

Ordered, That said bill be referred to the committee on the Judiciary.

The House took up a bill to allow Justices of the Peace compensation in cases of damage and bastardy.

On motion of Mr. Boddie,

Ordered, That said bill be referred to the committee on the Judiciary.

The House took up a bill to prevent frauds and extend the remedy against hardships.

Mr. Dunlap made a motion to amend the said bill by striking out the 3d section.

And the question being taken thereon, it was determined in the affirmative.

Ordered, That said bill as amended be referred to the committee on the Judiciary.

On motion of Mr. McLean,

Resolved, that a select committee be appointed to join such committee as may be appointed on part of the Senate, to ascertain and report the number of votes given for a Convention at the late general elections in this State.

And Mr. McLean, Mr. Gordon, Mr. Cheatham, and Mr. Cariger were appointed the said committee on part of this House.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Dew introduced the following resolution, to wit:

Resolved, That William Williamson and Hugh W. Robertson be appointed Justices of the peace for Wilson county.

Ordered, That said resolution be referred to the committee on Captains' companies and Justices of the Peace.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker:—

The Senate have adopted a resolution directory to the Judge of the 7th Judicial circuit. And a resolution directory to the board of Trustees of the Nashville University, and of the East Tennessee College; in which they ask the concurrence of this House.

And then he withdrew.

Whereupon the House concurred in the first of said resolutions and,

On motion of Mr. Brown,

Ordered, That the second of said resolutions lie on the table.

A bill to alter the name of Eli Murray Slinker, was taken up by the House, amended on motion of Mr. McLean, and,

Ordered, That Mr. Boddie have leave to withdraw the said bill for amendment.

The House took up a bill to repeal an act entitled "an act to explain and amend an act to regulate certain proceedings on executions, and for other purposes," passed Nov. 27th, 1829.

On motion of Mr. Dew,

Ordered, That said bill be referred to the committee on the Judiciary.

And then the House adjourned.

MONDAY, SEPTEMBER 26, 1831.

The Speaker laid before the House a report from the President and Directors of the Bank of the State of Tennessee. The said report was read at the Clerk's table, and is as follows.

REPORT,

Of the President and Directors of the Bank of the State of Tennessee, on the 24th September, 1831.

To the Honorable the General Assembly of the State of Tennessee.

By the act of the Legislature incorporating the Bank of the state of Tennessee, it is made the duty of the President and Directors, to furnish to each stated session, a report of the condition of the Institution.

The requisitions of the charter in this respect, have heretofore been deemed to be complied with, by a simple expose of the actual condition of the Bank.

The present situation of the institution, is however, characterised by circumstances so extraordinary in their nature, as to demand of us, some deviation from the common usage upon this occasion.

The very considerable irregularities in management, and the pecuniary defalcations of the officers of the Institution, exposed to the public observation by the zealous investigation of the late legislature, together with the unascertained extent and precise character of the evils manifestly existing, has impressed upon the public mind, a solicitude so intense and general, in respect to the public fund vested in this Bank, as could not fail to attract the respectful consideration of the present board, and to produce in them an early determination, to avail themselves of every accessible mean competent to shed light upon the perplexed and puzzling problem submitted to their examination.

In the accomplishment of this purpose, so imperatively urged upon us by the condition of the Institution, and the agitated state of public feeling, we have been met by difficulties, numerous and contracted, which it is not necessary or practicable to incorpo-

E2 House.

rate with this report. It may be sufficient here to indicate, as constituting a chief item in the list of embarrassing circumstances in which we have been placed, the stipulated absence of the books for three months after the adjournment of the last Legislature; their great confusion and unsettled condition, when placed in our possession, and the duty imposed by recent developements, of making an actual examination and count of every description of funds in possession of the Bank, at the time its management was undertaken by the present board; consisting in considerable proportions of ragged notes and change tickets of small denominations redeemed by the bank and filed away as unfit for use.

This task has engaged the first attention of the Directory; and its accomplishment, together with the settlement of the books of the late Cashier has supplied the means of submitting to the Legislature, a statement of the condition of the Bank at the time we undertook its management, and which, we have deemed proper, in the peculiar state of the Institution, to superadd to our report of its present condition.

By a careful examination of the funds on hand, and a diligent inspection of the books of the late cashier, submitted for our adjustment, we find him charged with the aggregate sum of \$1,120,049 56.

Which sum is ascertained by the following items.

To amount of notes issued by the Bank,	\$374,344 00
Cash rec'd from the br. bank at Knoxv.	381,087 47
“ Thos. Crutcher, (Tr.)	52,891 22
Intr'st on notes discounted at Pr. Bank,	48,195 68
Interest received from Agencies, - -	126,089 40
“ received from Agencies on school fund,	3,681 13
Due to individuals on deposit,	20,940 08
✓ Academy money funded in Bank,	30,447 31
Am't rec'd from entry takers of land,	78,559 34
Taxes on land for benefit of common sch'ls,	1,073 49
Dividends to Com. of county Academies,	2,740 44

Total Amount, \$1,120,049 56

The aggregate Cr. to which said cashier is entitled. \$1,069,590 89

By gold and silver found in the vault,	\$70,084 95
On notes on hand,	330,878 50
Notes on other Banks, including } \$632 31 counterfeit.	4,090 08
Deposite in Nashville Bank, - - -	64,770 67
Deposite in other Banks. - - -	3,354 10
Overcheckers or Leger balances,	89,361 92
Sundry Agents - - -	279,603 56
do in default, - - -	13,489 62
Notes under discount including judgments.	126,064 00

Expenses of the Bank,	67,578 30
Real estate Banking House,	16,978 07
Sundry county Academies,	3,220 82
Profit and loss	,197 30
By balance due and unaccounted for,	50,453 67

\$1,120 019 56

To balance unaccounted for by the late cashier,	\$50,458 67
Add overcheckers or Leger balances,	89,361 92

Which makes the aggregate defalcation of the late }
 cashier at the time we undertook the manage- } \$139,820 59
 ment of the Bank

With regard to the overchecking or ledger balances it may be proper to remark, that much difficulty was experienced in arriving at the above result in respect to its amount; owing entirely to great irregularities and neglect of the late Cashier and Clerk. In many instances, when the books fell into the hands of its present officers, large ballances appeared in favor of individuals, who in truth and in fact, were debtors to the Institution; whilst on the other hand, some appeared as debtors, who after a full adjustment of their accounts, were found to have rightful demands against the Bank in their favour.

The first of these cases had arisen in most instances, by posting the proceeds of each renewal of the individual's accommodation note to his credit, without charging him with his former notes. The last from neglecting for nearly twenty two months to post from the Day Book and Discount Book to the Leger, the amount of credits which the individual was entitled to receive; and in some instances, from a total omission to enter a credit any where, except in the private bank book of the individual.

And indeed, a great proportion of the dealers with the Bank, had been deprived of this latter mean of ascertaining the state of their accounts with the Institution, having handed over their private books to the Clerk for settlement, and which, on different pretences, had been retained unsettled by the Bank.

Under this state of things, it is justly to be presumed, that most of these debtors were wholly ignorant of the state of their account with the Bank; and indeed, not having been notified by its officers of having overdrawn their deposits, might well have supposed that they were in no default to the Institution.

Many of these debtors yet contend, that their apparent default to the Bank, has resulted from an omission to give them their proper credits; and though some have settled the demand against them, from a presumption of their accuracy, and an aversion to litigation, there are others, who entirely deny the justice of the charge, and absolutely refuse to pay any thing. Notwithstanding these apparent causes of error in relation to this item "of Leger

Balances" from the careful examination and settlement of individual accounts with this Bank, by its present officers, we are of opinion, that they may in the main, be considered accurate as now exhibited by the books of the Institution.

We refer your Honorable Body, for a knowledge of the present condition of the Bank, to exhibits A. B. and C. herewith submitted. Its clearness and simplicity, it is believed, will be satisfactory, and supercede the necessity of lengthy comment or explanation. By this document it will be seen, that the Leger balances, or over-checking have been reduced

\$69,323 17

Also, that the late Cashier has received a credit by

transfer from his private account,

2,802 39

Making a total of

72,125 46

Which subtracted from former balance,

139,820 59

Leaves at present his aggregate default to the Bank

67,695 13

This reduction has been produced in some cases by payment, as soon as the accounts were balanced, and the individual notified of the amount standing against him; in others by notes placed under discount, and in others a compromise and settlement has been obtained by a conveyance of real estate to the Bank.

By this latter method, was effected a settlement of the individual accounts of the late Cashier and Clerk, the former amounting to

\$10,781 24

The latter,

\$16,867 95

As the settlement with the Clerk extended to an entire release of himself and securities from all liabilities to the Bank, some detail of the circumstances inducing that settlement, is deemed proper to be communicated to your Honorable Body.

Shortly after the balance was ascertained to exist, as exhibited by his individual account, a suit was instituted against him and his securities for its recovery; previous to which, however, and also during the pendency of the suit, he made various propositions for compromise, always alleging, that the aforesaid account constituted the only demand which the Bank could rightfully prefer against him.

By a comparison of the funds of the bank, as ascertained by actual count, with the report of the Bank made to the last Legislature, a deficiency unaccounted for, of more than thirty thousand dollars was evidently found to exist in the amount of our own notes issued. This, with other circumstances, induced a suspicion in the minds of our Directory, that this deficiency might be under the control of the late Clerk, and consequently, led to the rejection of all his propositions for a compromise of their demand against him. But as it was deemed a matter of primary importance to the state, that the Bank should put itself in the possession of the notes thus missing, and which appeared to us to have been surreptitiously withdrawn, your Directory, influenced by the consideration of inability to establish the fact, that said notes, or any

part thereof, were in the hands of the Clerk, by any legal investigation, and also, from an apprehension that the whole amount might, from such course, be entirely lost to the State, in case of failure, were induced (through the President, with the approbation of the Executive) to propose to said clerk, that if he could return the notes in question, and convey to the Bank, two houses and lots embraced in his former propositions for compromise, the one in Nashville, and the other in Sparta, that they would give him a complete discharge from all his liabilities to the Bank. On the receipt of this proposition, he avowed his utter inability to meet it; and alleged, that the deficiency referred to, must be the result of error in the books of the Bank, and would be so ascertained on their final settlement.

On the following day, however, by the urgent solicitation of the late Cashier, and after receiving the most solemn assurances that the proposition of the Bank was made in good faith, and with no view to entrap him by an involuntary discovery, he admitted that the notes were under his control, but that they could not be placed within the possession of the Bank, until he could visit New Orleans and return. Accordingly, after having performed that journey, he placed to the credit of the late Cashier in Bank, \$32,934 50 in our own notes; executed his own note for the further sum of \$250,000 being the amount used out of the sum under his control; conveyed the houses and lots above mentioned, and was discharged from all further liabilities to the institution.

No suit has yet been instituted against the late Cashier.—The apparent anxiety of that officer, to settle the balance of his individual account without annexing any condition in his own favor, coupled with the late period at which the amount of his default was ascertained, and the hope of amicable adjustment by himself and securities, have induced your directory to postpone any legal procedure towards its final settlement.

Our Branch at Knoxville, it is believed, is in good condition, and so far as its management has fallen under the observation of this Board, we do not hesitate to ascribe to its officers, our full approbation, and especially to the ability and attention of its cashier, whose official acts most frequently meet our inspection in the conduct of its affairs.

The difficulty of maintaining a proper accountability through all the departments of the Bank of the State of Tennessee, arising from the intricacy of its organization, is too well known to your Honorable Body to require comment. It is therefore respectfully submitted, whether a dissolution of its charter, or some judicious and careful modification thereof, is not an almost indispensable requisite to the preservation of the State's capital therein invested. All of which is most respectfully submitted.

JOSEPH PHILIPS, *President*

SEPT. 24, 1834

of the Bank of the State of Tennessee

STATEMENT (A.)

State of the Bank of the State of Tennessee, at the principal
Bank at Nashville—Saturday, Sept. 24, 1831.

Dr.

To Joel Parrish, late Cashier, - -	47,656	38
Penitentiary, - - - -	25,100	00
Expenses Board of Internal Imp.	503	50
Déposité in Bank U. S. Phil	219	83
do. Branch " " N. Y.	96	56
do. " Nash.	6,784	52--7,100
do. Nashville Bank, - -	30,503	52
Notes under discount, - -	122,642	76
Suspended debts (over-checkers) or		
Leger bal. - - - -	20,038	75
do. do. (notes and judgm'ts,)	41,069	83
Real estate, - - - -	58,597	25
Sundry acting agents, - -	253,440	99
do. in default, - - - -	14,090	87
Expenses, - - - -	84,179	90
do. Insurance, - - - -	39	62
Common school Commissioners,	4,356	99
Profit and Loss, - - - -	272	30
Sundry county Academies, -	2,407	55
Cash (viz) own notes on		
hand, - - - -	346,511	67
Gold and silver, - - - -	64,553	00
Notes on other Banks	6,293	16
Counterfeits received		
by late Cashier, - - - -	632	31--417,990
		14--1,129,991
		26

Cr.

By our own notes issued, - -	374,344	00
Branch Bank at Knoxville,	392,908	59
Thos. Crutcher, (Treasurer,)	29,562	83
Discounts, - - - -	61,636	06
Interest account of Agents,	145,919	73
do. " School fund, - -	5,244	60
Individual dépositers, - -	21,559	37
Academy fund, - - - -	30,447	31
Paid to sundry counties	13,560	00
Land entry account, - -	78,924	67
do. Tax, - - - -	2,145	68
Sundry county Academies, -	763	23

Teller's gain,	-	54 19	—1,129,991 26.
Our own notes issued,	-	-	374,344 00.
do. on hand,	-	-	346,511 67.
In circulation,	-	-	27,832 33.

STATEMENT (B.)

State of the Bank of the State of Tennessee at Nashville, on Saturday, the 21th, with that of the Branch at Knoxville, of the 17th September, 1831.

Dr.

To Joel Parrish, (late Cashier,)	-	47,656 38
Penitentiary account,	-	25,100 00
Expenses Board Inter. Improv.	-	503 50
Deposites in other Banks,	-	7,100 91
do. in Nashville Bank,	-	30,503 52
Notes under dis. (or bills receivable)	-	166,922 59
Suspended debt, (P. B.)	-	61,108 53
Real estate,	-	58,597 25
Sundry Agents,	-	385,536 91½
do. do. in default, (P. B.)	-	14,090 87
Expenses,	-	129,499 27
Common School Commissioners,	-	6,788 86½
Profit and loss, (P. B.)	-	272 30
Bills rec. Acad mo. E. T.	-	6,554 00
do. do. School fund,	3,693 50	—10,247 50
Academy money, E. T.	-	17,276 93½
School Fund,	-	11,043 02½
Sundry agencies' School fund E. T.	-	28,403 25
Sundry county Academies,	-	2,407 55
Balance Branch Bank Knoxville,	-	2 12
Cash—Specie,	-	76,553 95
Own notes,	-	500,791 67
Notes of oth. Bks.	-	102,858 16
Counterfeits late cash'r,	632 31	—680,836 09—1,683,897 42

Cr.

By our notes (P. B.)	374,344 00
do. (B. B.)	154,679 00—529,023 00
Thos. Crutcher, Treas.	29,562 83
Discounts,	81,375 30½
Interest account—Agents,	223,044 34½

do. do. School fund,	-	7,276	12
Individual depositors,	-	23,465	93
Academy Money,	-	42,987	32½
Land entry account,	-	359,058	84
do. sale " (E. T.)	-	334,012	52
Island sale,	-	4,201	72
Interest on occupant land, (E. T.)	-	150	95½
Revenue taxes,	-	1,848	68½
Interest and dis. acc't acad mo. (E. T.)	-	1,389	22½
Common School money,	-	42,893	79½
Taxes on late land entry,	-	2,720	46½
Sundry county Academies,	-	763	23
Profit and loss, (B. B.)	-	68	95
Teller's gain,	-	54	19—1,683,897 42
Own notes issued by the Pr. Bk & B. B. Knoxv.			529,023 00
do. on hand at do. do.			500,791 67
do. in circulation,	-	-	28,231 33

STATEMENT (C.)

State of the Bank of the State of Tennessee, at Knoxville, on
Saturday, September 17th, 1831.

Dr.

To cash in notes on oth Bks	96,565	00
do. Specie,	12,000	795½--108,565 95½
Principal Bank,	-	392,910 72½
Expense account,	-	45,279 75
Bills receivable,	-	36,029 00
Sundry Agencies,	-	132,095 92½
Bills receivable for Agencies,	-	8,250 83
Common School Commissioners,	-	1,121 53½
Bills receivable, Academy money,	-	6,554 00
Cash, do. do.	-	592 81
Academy money, do. do.	-	16,684 12½
Cash, School fund,	-	11,043 00½
Sundry Agencies, do.	-	27,416 25
Bills receivable, do.	-	3,693 50
Bills receivable for Agencies,	-	987 00
Common school Commissioners, do.	1,310	34—792,534 75..

Cr.

By discount account,	-	19,689	24½
Individual deposits,	-	1,906	56
Bills payable, issued,	-	154,679	

do. do. on hand,	154,280	
do. do. in circulation,	399	00
Interest account for Agencies,	77,133	61½
Profit and loss,	68	95
Land sale account,	334,012	52
Land entry do.	280,134	17
Island sale do.	4,201	72
Interest on occupant Lands,	150	95½
East Tennessee Academy money,	3,014	67½
Interest on do. do. do.	643	62½
Revenue Taxes,	1,848	68½
Common School money,	1,050	00
Discount account, Academy money,	745	60
Whole amount, do. do.	23,085	33½
Discount account, School fund,	1,424	31
Whole amount, do. do.	41,843	79½
Interest account, do. do.	607	21
Taxes on late land entry,	574	78½—792,534 75.

Received from the Treasurer, immediately after the statement was made out, \$2,367 64½, for land sale amount—which will make the amount of land sale account at this moment \$336,380 16½

(Signed) JAMES CAMPBELL, *Cashier.*

Received also from the Treasurer \$810 33, after the above was made out, and does not appear therein for Common School money.

Signed

J. C. *Cashier.*

The foregoing is a true copy of Mr. Campbell's statement, of September 17, 1831.

N. HOBSON, *Cashier.*

BANK OF THE STATE OF TENNESSEE, }

Nashville, Saturday, September 24, 1831. }

To the President and Directors of the Bank of the State of Tennessee.

GENTLEMEN;

The foregoing statement marked A. exhibits the present situation of the principal Bank. And the statement marked B. exhibits the situation of the principal Bank, embracing the situation of the Branch Bank at Knoxville of Saturday the 17th—Believing that the situation of the principal Bank will be most desirable to the Legislature for an early inspection, I have stated the business of the principal Bank separate and distinct as exhibited by statement A, and then blended the two together as exhibited by statement B. The ninth item in statement A, under the head of suspended debt, or ledger balances, shews the sum of \$20,038 75; which sum comprises a list of balances yet due on the old ledger by overcheckers. The tenth item under the head of suspended debt for notes and judgments, comprises a list of notes

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unrenewed and judgments unsatisfied to the amount of \$41,069. 83, and \$19,285 17 of said sum comprises the amount of notes unrenewed, a part of which is in suit; others remain unsettled with partial payments made by the drawers thereof; which amount is placed to their individual credit. That portion of said debt embracing the judgments amount to \$21,784 66, a part of which is believed to be insolvent; a small part seems to be in dispute; the parties contend that payment was once made and refuse a second adjustment. But a good portion can be collected without much delay by pressing the demands of the Bank.

The most apparent demands against the Bank seem to consist in the following items, viz.

Notes in circulation, - - - - -	\$27,832 33
Amount due the Treasurer on deposite, - -	29,562 83
Amount " Individuals " " - - - -	21,559 37
Balance of Academy fund on hand, - - -	16,887 34
Making the sum of - - - - -	95,841 84

The means to liquidate that demand consist in the

Specie on hand - - - - -	64,553 00
Notes on other Banks - - - - -	6,293 16
Deposites in do - - - - -	37,604 43
Notes under Discount - - - - -	122,642 76

Making the sum of - - - - - 231,193 35

Upwards of \$20,000. of the last item will be available within forty or fifty days, a greater part of which is payable at the U. S. Branch Bank, at Nashville, and deposited for collection. Thus you will perceive that the bank can meet its demands with the most perfect ease. Through you, Gentlemen, I would invite the Honorable Legislature, by their Committee, to examine the progress made in the settlement and adjustment of the old business, as well as the present situation of the Bank and its concerns. It will afford me pleasure to exhibit to their inspection all monies, papers, books, &c. appertaining to the bank, and to afford them all the information that I may be capable of giving, relative to its past or present management. All of which is most respectfully submitted.

N. HOBSON, *Cashier.*

The foregoing statement by the Cashier, exhibiting the present condition of the principal Bank is correct, as ascertained by a Committee of the Directory.

J. PHILIPS,

President of the Bank of the State of Tennessee.

Ordered, that said Report be referred to the committee on Banks, and that 2000 copies thereof be printed for the use of this House.

Mr. McGaughey presented a memorial of 500 citizens of Greene county, praying the adoption of a resolution instructing our Senators and requesting our Representatives in Congress to use all possible means to prevent the rechartering of the Bank of the United States.

The said memorial was read and ordered to lie on the table.

Mr. Easley presented the tax returns of the Clerk of the circuit court of Grainger county.

Ordered, that said return be referred to the Committee of Finance.

Mr. McFarland presented the return of the Clerk of the circuit court of Jefferson county.

Ordered, that said return be referred to the Committee of Finance.

Mr. Dunlap presented a report from Hugh L. White, attorney for the State on Indian reservations.

Ordered, that said report with its accompanying documents lie on the table.

Mr. Vernon presented the returns of the Clerks of the circuit courts of Rhea and Hamilton counties.

Ordered, that said returns be referred to the committee of Finance.

Mr. Roberson presented a Report from the Clerk of the circuit court of Marion county, showing the number of suits docketed in said court from April term 1825, to October term, 1830.

Ordered, that said report be referred to the committee on the judiciary.

Mr. Dew presented the return of the Clerk of the county court of Wilson county; and a petition of Timothy Dodson, praying the passage of an act authorizing him to build a bridge across Stone's river.

Ordered, that said return be referred to the committee of Finance; and said petition to the committee on Internal Improvement.

Mr. Kincaid presented returns from the Clerks of the county and circuit courts of Bedford county.

Ordered, that said returns be referred to the committee of Finance and Captain's companies and justices of the peace.

Mr. James Gray presented the tax returns of the circuit court of Stuart county; and of the county and circuit court Clerks of Perry county.

Ordered, that said returns be referred to the committees of Finance.

Mr. Hardin presented the county court Clerk's return of Wayne county, of tax lists and Justices of the Peace—and

Mr. Joel R. Smith presented the tax return of the county court Clerk of Gibson county.

Ordered, that said returns be referred to the committee of Finance and justices of the peace.

Mr. Nevins, from the committee of Captain's companies, and justices of the peace, reported a resolution appointing John F. Vass, John Tinsley and Henry L. McDonald, Justices of the Peace for Jackson county.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. McGaughey introduced the following preamble and resolution, which was read at the Clerk's table as follows, to wit:

Whereas the charter of the United States Bank will expire in the year 1836, and whereas it is believed that the Stockholders in said Bank will attempt to procure a re-charter of that Institution, and whereas it is believed by this General Assembly that it is not consistent with sound policy to extend the charter of said Bank—therefore,

Resolved, by the General Assembly of the State of Tennessee, that our Senators in Congress be instructed, and our Representatives requested, to use all possible means to prevent the re-chartering of the Bank of the United States, if any attempt should be made in Congress for that purpose, before the next session of the General Assembly of this State.

Resolved, that the Secretary of State furnish a copy of the foregoing preamble and resolution, to each of our Senators and Representatives in Congress, and that they be printed with the acts of the present session of the General Assembly.

Ordered, that said resolution lie on the table.

A message from the Senate by Mr. Hill, their Clerk.

Mr. Speaker—

I am directed to deliver to this House, a report from the Inspectors of the Penitentiary—and a message in writing from the Governor of the State.—The Senate have adopted a resolution directory to the President and Directors of the Bank of the State of Tennessee—and a Resolution directory to the Treasurer of West Tennessee—in which they ask the concurrence of this House.—And then he withdrew.

Whereupon the House took up and concurred in the second of said resolutions.

Mr. Claiborne made a motion to lay the first of said resolutions, contained in said message, and directory to the President and Directors of the Bank, upon the table.

And the question being taken thereon, it was determined in the negative.

YEAS—8.

NAYS—30.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are

Messrs. Speaker, Huling, Brown, Claiborne, Dobbins, Inge, Kincaid, Maury and McLean.

Those who voted in the negative, are

Messrs. Allen, Boddie, Carriger, Cheatham, Dew, Dickinson, Dunlap, Easley, Gillespie, Gordon, Gowen, Jas. Gray, George Gray, Harden, Holland, Hurst, McFarland, McGaughey, Nevins, Parris, Roberson, Rogers, Alexander E. Smith, Joel R. Smith, Stockton, Turney, Vernon, Watkins, Wright, and Young.

The Resolution was then concurred in by the House—and

Ordered, that the Clerk acquaint the Senate therewith.

The message of the Governor was then read at the Clerk's table, and is as follows:

Fellow-Citizens of the Senate,

and of the House of Representatives:

In compliance with a resolution of the last Session, directing the Governor to adopt such measures, as he might deem proper to secure to this State the benefit of a devise of Mason See, late of S. Carolina, I have to state, that I addressed a letter to the Governor of S. Carolina, requesting information, as to whether the property could be divided without resorting to the forms of law. In reply, he informed me that S. Carolina had relinquished her claim to the illegitimate children of the deceased; and about the same time I received a letter from Jonathan Pennywill, an illegitimate son of Mason Lee, stating that he would petition the General Assembly of Tennessee, to relinquish in his favor, all claim to the property left by his father to this State. Since then nothing has been done. That you may have a full view of the intentions of the deceased, you will receive herewith a copy of his last will and testament. Shortly before the commencement of the present session, I received the resignations of the Solicitor Generals of the eleventh and twelfth districts, which are herewith transmitted. Since the close of the last session, John D. Graham has been appointed Surveyor General of the 11th district.—The permanent appointment to that office will devolve on you before your adjournment.

WM. CARROLL.

EXECUTIVE OFFICE, }

Nashville, Sept. 26, 1831. }

Ordered, that said message and its accompanying documents lie on the table.

Whereupon, the report of the Inspectors of the Penitentiary was read at the Clerk's table, and ordered to be referred to the committee on the Penitentiary.

Mr. Turney introduced a bill to compel the different Clerks in
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this State to give new security for the performance of the duties of their office. Mr. Parris introduced a bill to repeal the law allowing tax fees to Attornies. Mr. Boddie introduced a bill to amend an act entitled an act to amend the penal laws of the State of Tennessee, passed Dec. 9, 1829. And Mr. Dunlap introduced a bill to authorise Jeremiah Johnson to build a wing mill dam on French Broad river.

Which bills were severally read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Hurst returned a bill giving to the purchasers and enterers of land in the Hiwassee district further time to obtain their grants, with an amendment, which was read.

And the question being taken, on agreeing thereto, it was determined in the affirmative.

Whereupon, the said bill was read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. McLean,

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of adopting a uniform mode of conveying convicts to the Penitentiary, and defraying the expenses of their transportation.

On motion of Mr. Cheatham,

Resolved, That the Secretary of State be instructed, to report forthwith to this House the number of copies of infantry, artillery, and cavalry exercises, that have been forwarded by the General Government and now deposited in the office of Secretary of State

Mr. Allen introduced the following preamble and resolution, which was read at the Clerk's table as follows, to wit.

Whereas the constitution of the state of Tennessee, declares that "all courts shall be open; and every man for an injury done him in his lands, goods, person or reputation, shall have remedy by due course of law, and right and justice administered without sale, denial or delay. That in prosecutions by indictment or presentment, the accused hath a right to a speedy public trial—and that "the judicial power of the state shall be vested in such superior or inferior courts of law and equity as the legislature shall from time to time direct and establish. And whereas the present organization of the courts, is defective and insufficient to meet the exigencies of the country, or effect the legitimate objects of their creation,

Resolved, That the committee on the judiciary be instructed to report a bill providing that all laws and parts of laws, establishing a circuit, chancery, and supreme court of errors and appeals, in this State, be repealed—and in lieu thereof, create and establish District courts to be holden by one Judge three times a year in each county with exclusive original, chancery and

criminal jurisdiction—and with such jurisdiction of all actions, real, personal and mixed now given to the circuit courts of this state; dividing the State into districts to be known and distinguished by names to be by said committee given;—and one Supreme court of Appeals, consisting of a Chief Justice, who shall be chosen from the whole State, and three associate justices, one of whom shall reside in each of the three grand divisions of the State, whose duty it shall be to hold said court once a year at Knoxville, Nashville, and Jackson; and hear and determine all matters of appeal—and that an Attorney General and Reporter be appointed for the State, whose duty it shall be to attend all the sittings of the court of appeals—and shall report all the important decisions thereof.

Ordered, That said resolution be referred to the committee of the whole, and be made the order of the day for Friday next the 30th inst.

The House took up a bill concerning the distribution of Haywood & Cobb's Revisal, which bill was read a second time, amended on motion of Mr. Gillespie, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The House took up the Resolution fixing on the 29th inst to go into the election of a public printer.

Mr. McLean made a motion to amend the said Resolution by striking out the words "29th inst" for the purpose of inserting in lieu thereof, the words "3d day of October next."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Ordered, That Mr. Maury have leave to withdraw for amendment, a bill further to define and extend the jurisdiction of justices of the peace.

Ordered, That Mr. James Gray have leave to withdraw for amendment, a bill to amend the stray law.

The House took up a bill to amend the law now in force regulating appeals in equity.

On motion of Mr. Dunlap,

Ordered, That said bill be referred to the committee on the Judiciary.

The following bills from the Senate were taken up by the House, and read the first time and passed, to wit:

A bill to change the time of holding the Regimental muster in the 76th Regiment.—A bill to increase the jurisdiction of justices of the peace, to pay them for their services, and for other purposes.—A bill levying a tax on the sale of lottery tickets in this state.—And a bill for the relief of Miller Isbell and others therein named.

Ordered, That Mr. Easley have leave to withdraw for amendment, a bill to repeal the 4th section of an act entitled an act to amend an act for the benefit of the Bean's Station Turnpike company.

Mr. Boddie returned a bill to alter the name of Ely Maury Slinker, with an amendment, which was read, and agreed to by the House.

Ordered, That Mr. Dickinson have leave to withdraw the said bill for amendment.

On motion of Mr. Hurst.

Resolved, That the Committee on the judiciary be instructed to enquire into the expediency of extending the laws of Tennessee to the southern boundary of the State; and in what manner, and to what extent the same should be extended.

On motion of Mr. Carriger,

Ordered, That the bill for the benefit of Elizabeth Young, be referred to the committee on Claims.

Mr. Dunlap returned a bill to establish a separate battalion in the county of Haywood and for other purposes, with an amendment, which was read and agreed to by the House.

Ordered, That Mr. Nevins have leave to withdraw the said bill for amendment.

Mr. McGaughey introduced a bill to settle up and close the business of the Bank of the State of Tennessee, and to distribute the funds to the counties upon the basis of free white population.

Which bill was read the first time and passed.

Ordered, That the Clerk acquaint the senate therewith.

A bill to extend the provisions of an act entitled an act concerning the Register of the Hiwassee district—A bill for the benefit of Aaron Higgenbottom—And a bill for the benefit of Carrick W. Nelson, of Carter county, were severally read a second time and passed.

The House took up a bill respecting the sale of goods to prevent venders and mortgagers from secreting, changing and covering property by fraud.

Mr. Inge made a motion to lay the said bill on the table until the 1st day of June next.

And the question being taken thereon, it was determined in the affirmative.

A bill more effectually to secure the payment of just debts, was read a second time and amended on motion of Mr. Brown.

And on the question, shall the bill pass, it was determined in the negative.

And so, the said bill was rejected.

On motion of Mr. Joel R. Smith,

Ordered, That the bill for the relief of Arky Y. Partee be referred to a select committee.

And Mr. Joel R. Smith, Mr. Kincaid, and Mr. Inge, were appointed a committee in pursuance of said order.

On motion of Mr. Kincaid,

Resolved, That the President and Directors of the Bank of the State of Tennessee, report to this house, the names of all persons who are or have been overcheckers, and who have at any time checked having no deposits in said bank—and the amount respectively of each who have thus overchecked—that they report the amount, which the late officers of the Bank had checked out of said bank distinguishing between the amounts which individuals who had no deposits may have drawn, through the officers of the Bank, and the amount which said officers may have applied to their own use. Also, that they report such debts accruing by overchecking as have been settled, and in what way such settlements have been made—also report such as have not been settled and the probability of collecting the same—Also report the time at which such overchecking or overdrawing happened, and the different times at which the books have been balanced. Provided however, said report need not embrace sums under fifty dollars.

And then the House adjourned.

TUESDAY, SEPTEMBER 27, 1831.

Mr. McGaughey presented a petition of Martin Fry, praying a divorce from his wife Lititia.

Ordered, That said petition be referred to the committee on Divorces.

Mr. Alexander E. Smith presented a petition of D. C. Chamberlain, Clerk of the circuit court of Cocke county, praying the passage of an act directing the Treasurer of East Tennessee, to refund him the sum of \$32 25 cts. And the circuit court Clerk's return of causes docketed in said court from April term 1825, to October term 1830.

Ordered, That said petition be referred to the committee of claims, and said return to the committee on the judiciary.

Mr. Dunlap presented a petition of A. Looney praying the passage of an act allowing him compensation for surveying certain lands in Hawkins county—Also a petition of J. & W. Pennywell, praying the passage of an act, making a donation to them of Mason Lee's devise to the State of Tennessee—Also a report from the Treasurer of East Tennessee, in compliance with a resolution of the General Assembly of the 11th January, 1830, in relation to the Hiwassee lands.

Ordered, That the first of said petitions be referred to the

committee of claims—and, that the second of said petitions and Treasurer's report, lie on the table.

Mr. Stockton presented a petition of sundry citizens of Morgan county, praying the passage of an act authorizing James C. Davidson to hawk and peddle without licence.

Ordered, That said petition be referred to the committee of Propositions and Grievances.

Mr. Wright presented a petition of George Selridge, praying the passage of an act legitimating his children; and the report of the Clerk of the circuit court of Monroe county, of causes docketed in said court, from the April term 1825 to the October term 1830.

Ordered, That the said petition be referred to the committee of propositions and grievances; and the Clerk's report to the committee on the judiciary.

Mr. Hurst presented a petition of Charles H. Dorian, praying the passage of an act allowing him certain fees to which he is entitled as constable.

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. Vernon presented a petition of Edmund Bean, praying the passage of an act releasing him from the payment of a Militia fine, and the passage of an act declaratory of the manner in which staff appointments shall be made—also, a petition of sundry citizens of Rhea and McMinn counties, praying the passage of an act restoring Johnathan Crawford to the privileges of citizenship—and a petition of Elizabeth Casey, praying indulgence for the payment of a debt due the state for a quarter section of land in the Hiwassee district.

Ordered, That the first of said petitions be referred to the committee on military affairs—the second of said petitions to the committee of propositions and grievances—and the last of said petitions to the committee on the Hiwassee lands.

Mr. George Gray presented a petition of sundry citizens of Franklin and Warren counties, praying the establishment of a new county.

Ordered, That said petition be referred to the committee on new counties and county lines.

Mr. Nevins presented a petition of Kinchin Pippin, praying a divorce from his wife.

Ordered, That said petition be referred to the committee on divorces.

Mr. Allen presented a petition of J. M. Lucky, praying the passage of an act authorizing him to exhibit wax figures, upon the payment of the state tax.

Ordered, That said petition be referred to the committee on propositions and grievances.

Mr. Dickinson presented the circuit court Clerk's return of Rutherford county.

Mr. Maury presented the county court Clerk's return, of Williamson county.

Ordered, That said returns be referred to the committees of Finance and justices of the peace.

Mr. Maury also presented a memorial of Thos. Stuart, Judge of the 4th circuit, praying the passage of an act allowing compensation to Richard Daily as special judge.

Ordered, that said petition be referred to the committee of propositions and grievances.

Mr. Brown presented a petition of sundry citizens of this state praying amendments in the laws authorizing the retailing of spirituous liquors without licence.

Ordered, That the said petition be referred to the Committee of propositions and grievances.

Mr. Cheatham presented a report from the Secretary on the subject of militia exercises.

Ordered, That said petition be referred to the committee on military affairs.

Mr. Gordon presented the county court Clerk's return of Dickson county.

Ordered, That said return be referred to the committee of Finance and Captains' companies and Justices of the Peace.

Mr. Watkins, from the committee on claims, reported the bill for the benefit of Elizabeth Young, without amendment, whereupon, the said bill was read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Gordon, from the committee on land claims, made an unfavorable report upon the petition of Thos. Miles, and the resolution therein contained was concurred in by the house as follows, to wit:

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Brown, from the committee on the judiciary, reported the bill to amend the laws now in force regulating appeals in equity—with an amendment, which was read and agreed to by the House—and the said bill was read a second time and passed.

Mr. Brown from the same committee reported the bill to extend the jurisdiction of justices of the peace, without amendment. And the said bill was read a second time and rejected.

Mr. Brown, from the same committee, reported the bill to allow justices of the peace compensation in cases of damage and bastardy, without amendment.

On motion of Mr. Inge,

Ordered, That said bill lie on the table.

Mr. Dew returned a bill for the benefit of securities, with an

amendment, which was read and agreed to by the House.

Whereupon, the said bill was read a second time, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Wright introduced a bill for the relief of Elizabeth Humphreys.

Mr. Dew introduced a bill to declare in force all the acts of the states of N. Carolina and Tennessee, contained in Haywood & Cobb's Digest, and for other purposes.

Mr. Young introduced a bill to establish an additional court martial in the 4th Regiment, and Mr. Turney introduced a bill to enclose the milk sick hills in White county.

Which bills were severally read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Watkins introduced a resolution appointing Joshua Tally, L. F. Sharp, Paschal Head, Albert G. Donaho, and Peter Ketting, Justices of the Peace for Sumner county.

And the question being taken, on agreeing thereto it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker,

The Senate concur in the resolution of the House appointing justices of the peace for Jackson county. Mr. Green and Mr. Fry are appointed a committee on part of the Senate, to join the committee on part of the House of Representatives, to count the votes given at the late general elections for a convention.

And then he withdrew.

Mr. Dickinson returned a bill to alter the name of Eli Maury Slinker, with an amendment, which was read and agreed to by the House.

The said bill was further amended on motion of Mr. Wright—Whereupon,

Mr. Claiborne made a motion to lay the said bill on the table until the first day of march next.

And the question being taken thereon, it was determined in the affirmative.

YEAS 24

NAYS 14

The yeas and nays being demanded by the constitutional number of members.

Those who voted in the affirmative, are

Mr. Speaker Huling, Allen, Brown, Carriger, Cheatham, Claiborne, Dew, Dobbins, Dunlap, Easley, Gillespy, Gordon, James Gray, Holland, Hurst, Inge, Maury, McGaughy, McLean, Roberson, Alexander E. Smith, Vernon, Watkins, and Young.

Those who voted in the negative are;

Mr. Boddie, Dickerson, Gowen, George Gray, Hardin, Kincaid, McFarland, Nevins, Parris, Rogers, Joel R. Smith, Stockton, Turney and Wright.

Mr. Dew made a motion to reconsider the vote by which the bill respecting the sale of goods, and to prevent venders and mortgagers from secreting and changing property by fraud, was rejected.

And the question being taken thereon it was determined in the affirmative.

Ordered, That the said bill be referred to the committee on the Judiciary.

Mr. Easley returned a bill to repeal the 4th section of an act entitled "an act for the benefit of the Bean's Station Turnpike company," without amendment.

Whereupon the said bill was read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Inge returned the bill to prevent Clerks, Sheriffs, and Constables from speculating on funds in their Offices, without amendment.

On motion of Mr. Young,

Ordered, That said bill be referred to the committee on the Judiciary.

On motion of Mr. Vernon,

The House took up the resolution providing for the election of Solicitor for the 11th district on the 29th inst.

Mr. Hurst made a motion to amend the said resolution by striking out the words "29th inst." for the purpose of inserting in lieu thereof the words "3rd day of October next."

And the question being taken thereon it was determined in the affirmative.

Ordered, That said resolution lie on the table until Saturday next.

Mr. Nevins returned a bill to establish a separate battalion in the county of Haywood, and for other purposes with an amendment which was read and agreed to by the House.

On motion of Mr. James Gray,

Ordered, That said bill be referred to the committee on military affairs.

The following bills from the Senate were severally read the first time and passed, to wit:

A bill to explain and amend the laws heretofore passed in relation to Sheriffs and Constables, and for other purposes; and a bill to repeal all laws now in force making Exofficio allowances to Clerks and Attorney Generals.

Ordered, That the clerk acquaint the Senate therewith.

The House took up a bill concerning Guardians.

Mr. Turney made a motion to amend the said bill by adding thereto a section in the following words, to wit:

G HOUSE.

“Be it enacted, That all laws and parts of laws making an Ex parte settlement, made with guardians, executors and administrators, by commissioners appointed by the county court, or by the county court prima facie evidence in any suit brought by the heirs or ward against the executor, administrator, or guardian, be and the same are hereby repealed.”

And the question being taken thereon it was determined in the negative.

YEAS—6

NAYS—32

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative are

Mr. Allen, Dickinson, Inge, Kincaid, Parris, and Turney.

Those who voted in the negative are,

Mr. Speaker Huling, Boddie, Brown, Carriger, Cheatham, Claiborne, Dew, Dobbins, Dunlap, Easley, Gillespy, Gordon, Gowen, James Gray, George Gray, Hardin, Holland, Hurst, Maury, McFarland, McGaughey, McLean, Nevins, Roberson, Rogers, Alexander E. Smith, Joel R. Smith, Stockton, Vernon, Watkins, Wright and Young.

The said bill was then amended on motion of Mr. Brown.

When Mr. Kincaid made a motion to amend the said bill by striking out the 2nd section.

And the question being taken thereon it was determined in the negative.

YEAS—1

NAYS—37

The yeas and nays being demanded by the constitutional number of members

The affirmative vote was Mr. Kincaid.

Those who voted in the negative are,

Mr. Speaker Huling, Allen, Brown, Boddie, Carriger, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Dunlap, Easley, Gillespy, Gordon, Gowen, James Gray, George Gray, Hardin, Holland, Hurst, Inge, Maury, McFarland, McGaughey, McLean, Nevins, Parris, Roberson, Rogers, Alexander E. Smith, Joel R. Smith, Stockton, Turney, Vernon, Watkins, Wright and Young.

The said bill was then amended on motion of Mr. Claiborne, and read a second time as amended.

And on the question shall the bill pass, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith.

And then the House adjourned.

WEDNESDAY, SEPTEMBER 28, 1831.

Mr. McFarland presented the county court Clerk's return of Jefferson county.

Ordered, That said return be referred to the committee of Finance.

Mr. Vernon presented a petition of Benjamin McKenzie praying the passage of an act refunding him \$99 20 on the purchase of a quarter section of land in the Hiwassee district.

Ordered, That said petition be referred to the committee on the Hiwassee lands.

Mr. Kincaid presented a petition of A. H. White and Peter Chilcut praying the passage of an act releasing them from the forfeiture of a recognizance.

Ordered, That said petition be referred to the committee on the Judiciary.

Mr. Maury presented petitions for the appointment of Justices of the peace for Williamson county.

Ordered, That said petitions be referred to the committee on Captains' companies and Justices of the peace.

Mr. James Gray presented a petition of sundry citizens of Humphreys county, praying an exemption from toll at Jetton's Turnpike on Sandy river.

Ordered, That the said petition be referred to the committee on [propositions and grievances.]

Mr. Nevins from the committee on Captains' companies and Justices of the peace, reported a resolution appointing Isaac Low, John Depriest and James Rhodes Justices of the peace for Hickman county.

And the question being taken on agreeing thereto it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith and ask their concurrence therein.

Mr. McGaughey from the committee on propositions and grievances, made an unfavorable report upon the petition of Tho: L. Bonner, the petition of Lewis Johnson, and the petition of Mary Ramsey.

And the resolution therein contained was concurred in by the House as follows, to wit:

Resolved, That the prayer of the petitioners respectively ought not to be granted.

Mr. Wright from the committee on the Hiwassee lands, reported a bill for the relief of Elizabeth Casey.

Which bill was read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill from the Senate to alter the name of Temperance McMillan, was read the first time and rejected.

A bill from the Senate to define the liability of endorsers, was read the first time, amended on motion of Mr. Turney and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill from the Senate to explain an act entitled an act to prescribe the mode of obtaining appeals in certain cases, passed Dec. 8, 1827, was read the first time and passed.

And a bill to authorize the entry taker of Perry county to keep his Office at his own house, was read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Maury returned the bill to define and extend the jurisdiction of Justices of the peace, with an amendment which was read and agreed to by the House.

Ordered, That said bill be referred to the committee on the Judiciary.

The House took up a bill to amend an act passed December 11, 1827, entitled an act for the relief of the heirs of persons dying intestate.

On motion of Mr. Inge,

Ordered, That the said bill be referred to the committee on the Judiciary.

On motion of Mr. Hardin it was

Resolved, That the committee on Banks be instructed to enquire into the expediency of repealing the charter of the Bank of the State of Tennessee and to close the business of said institution.

Resolved, That said committee enquire into the expediency of distributing the funds to the counties for the support of Common Schools, or such other purposes as may be designated by law.

Resolved, That said committee take into consideration the propriety of establishing some tribunal in the respective counties, to which the obligations may be made payable upon the repeal of the charter of said Bank.

Mr. Gordon introduced a bill for the relief of John R. Charter.

Mr. Cheatham introduced a bill to establish the Montgomery rangers. Mr. Carriger introduced a bill to reduce the fees of county Registers. And Mr. Turney introduced a bill to reduce the salaries of the Judges of the Supreme court to fourteen hundred dollars; and the salary of the Circuit Judges to seven hundred and fifty dollars.

Which bills were severally read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Ordered, That Mr. Dobbins have leave to withdraw for amendment a bill to amend an act on the subject of delivery bonds.

The House took up a bill for the benefit of the heirs and creditors of James Peak.

On motion of Mr. Boddie,

Ordered, That the said bill be referred to the committee on the Judiciary.

A message from the Senate, by Mr. Hill, their Clerk.—
Mr. Speaker—

The Speaker of the Senate did this day sign a resolution directory to the Treasurer of middle Tennessee; and a resolution directory to the President and directors of the Bank of the State of Tennessee. The Senate have adopted a resolution appointing John G. McDonald, Daniel Kutch, William Rathiff, Richard A. Massey and Fielding Woodard, justices of the peace for the county of Lawrence, in which they ask the concurrence of this house. And then he withdrew; when,

The House took up the resolution contained in said message, appointing justices of the peace for the county of Lawrence.

And the question being taken, on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith.

A bill to amend an act entitled an act to authorize a tax to be laid in the county to build a court house—and a bill to incorporate an academy in the county of Hamilton,

Were severally read a third time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Ordered, That Mr. Nevins have leave to withdraw for amendment, a bill to authorize Wm. Martin to build a bridge across Collin's river,

The House took up a bill to amend an act entitled an act to amend the penal laws of the State of Tennessee.

The said bill was amended on motion of Mr. Dunlap, and ordered to lie on the table.

A message from the Senate, by Mr. Hill their Clerk.

Mr. Speaker—

The Senate nonconcur in the resolution of this house, proposing to go into the election of Public Printer on the 3d day of October—and propose to go into said election on the 4th of that month—and ask the concurrence of this House.

And then he withdrew.

When, the House proceeded to consider the proposition of the Senate to go into the election of Public Printer on the 4th of October, and concurred therein.

Ordered, That the Clerk acquaint the Senate therewith.

The House took up the bill repealing all laws allowing tax fees to attorneys at law.

Mr. Dunlap made a motion to amend the said bill, by striking out the original words thereof, for the purpose of inserting a provision giving to said tax fees to the common school fund in the different counties.

And the question being taken thereon, it was determined in the negative.

Whereupon, Mr. Inge made a motion to amend the said bill—when,

G2 HOUSE.

Mr. Allen made a motion to postpone the said bill and amendment indefinitely.

And the question being taken thereon, it was determined in the negative.

YEAS 9.

NAYS 28.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are,

Messrs. Speaker Huling, Allen, Claiborne, Dunlap, Gillespie, Geo. Gray, Holland, Inge, and McLean.

Those who voted in the negative, are,

Messrs. Boddie, Brown, Carriger, Cheatham, Dew, Dickinson, Dobbins, Easley, Gordon, Gowan, Jas. Gray, Harden, Hurst, Kincaid, Maury, McFarland, McGaughey, Nevins, Paris, Rogers, Alexander E. Smith, Joel R. Smith, Stockton, Turney, Vernon, Watkins, Wright and Young.

Whereupon, the said bill was read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill to compel the different Clerks in the State to give new security for the performance of their duty, was read a second time,

And on the question being taken, 'shall the bill pass'—it was determined in the negative.

YEAS 4.

NAYS 33.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are,

Messrs. Kincaid, Paris, Turney, and Young.

Those who voted in the negative, are,

Messrs. Speaker Huling, Allen, Boddie, Brown, Carriger, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Dunlap, Easley, Gillespie, Gowan, James Gray, Geo. Gray, Hardin, Holland, Hurst, Inge, Maury, McFarland, McGaughey, McLean, Nevins, Robinson, Rogers, Alexander E. Smith, Joel R. Smith, Stockton, Vernon, Watkins and Wright.

And so, the said bill was rejected.

The house took up the bill to settle up and close the business of the bank of the State of Tennessee.

On motion of Mr. McGaughey,

Ordered, That the said bill be referred to the Committee on Banks.

The following bills from the Senate, were severally read a first time and passed, to wit:

A bill to compensate James A. Whiteside for superintending the printing and publishing Haywood & Cobb's Revisal. A

bill to amend an act entitled an act authorizing John Brown to open a Turnpike road. A bill to amend an act entitled an act to explain an act more effectually to prohibit county officers from speculating in county claims. A bill to indemnify certain counties for the loss of revenue by the operations of the act of the 4th of August 1822. A bill to amend the law relative to the trial of slaves. A bill for the relief of Allen D. Gentry. And a bill for the relief of Wm. Kanard, and others.

Ordered, That the Clerk acquaint the Senate therewith.

A bill from the Senate to prevent malicious prosecutions of the peace, was read the first time and rejected.

Mr. Dickinson introduced the following resolution, to wit:

Resolved, That the Senate meet the House of Representatives on the 4th day of October, to elect a surveyor to the 11th district, and surveyors for the counties of Anderson, Hamilton, and Cocke.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

On Motion of Mr. McGaughey, it was

Resolved, That the memorial of the citizens of Greene county, adverse to the renewal of the charter of the Bank of the United States, be referred to a select committee.

And a committee was appointed in pursuance of said resolution, consisting of Mr. Brown, Mr. Allen, Mr. McGaughey, Mr. Boddie, and Mr. Gillespie.

The house took up the bill to secure to poor persons the means of supporting their families.

The said bill was amended on motion of Mr. Kincaid, and further amended on motion of Mr. James Gray.

Ordered, That Mr. Hurst have leave to withdraw the said bill for amendment.

A bill for the benefit of Elizabeth Young, was read a third time amended on motion of Mr. Gillespie, and passed.

A bill for the benefit of Aaron Higgenbottom, was read a third time and passed.

A bill to change the time of holding the regimental musters in the 76th Regiment—and a bill to amend an act entitled an act for the relief of Sheriffs.

Were severally read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate, by Mr. Hill, their Clerk.

Mr. Speaker—

I am directed to inform the House, that the Senate have resolved themselves into a court of Impeachment, on the articles and specifications exhibited by the House of Representatives, at

the last session of the General Assembly, against Joshua Haskell judge of the 8th judicial circuit—and are now ready to proceed with the trial of said Impeachment.

And then he withdrew—whereupon,

On motion of Mr. Brown, it was

Resolved, That a committee of two members, consisting of Mr. Allen and Mr. Inge, appear before the Senate sitting as a court of Impeachment, and inform the court, that the House of Representatives is not now ready to proceed with the trial of the impeachment against Judge Haskell, and request a continuance of said cause on behalf of this house until Monday next.

And the said committee being returned,

Mr. Allen reported, that the committee had, according to order, performed the duty assigned them; and that the court of impeachment had continued over the said cause to Monday next.

And then the House adjourned.

THURSDAY, SEPTEMBER 29, 1831.

Mr. McGaughey presented a petition of Alexander Brown, praying the repeal of an act of 1825.

Ordered, That said petition be referred to the committee on propositions and grievances.

Mr. McFarland presented the county court Clerk's return of Captains' companies and Justices of the peace in Jefferson county.

Ordered, That said return be referred to the committee of Captains' companies and Justices of the peace.

Mr. Hurst presented a report from the Trustees of Forest Hill Academy.

Ordered, That said report be referred to the committee on Education.

Mr. George Gray presented a petition of sundry citizens of Franklin, Bedford, Rutherford, and Warren counties praying the establishment of a new county.

Ordered, That said petition and the petition of the citizens of Franklin and Warren counties be referred to the committee on new counties and county lines.

Mr. Claiborne presented a petition of William L. Willis and others praying relief from the corporation laws of Nashville, and exemption from corporation taxes on lots exempted when sold, and now included under the act extending the corporation of said town.

Ordered, That said petition be referred to the committee on the Judiciary.

Mr. Kincaid presented the petition of Eunice Cummings, pray

ing the passage of an act authorizing her to hold property in her own right.

Ordered, That said petition be referred to the committee on propositions and grievances.

Mr. Cheatham presented the return of the circuit court Clerk of Robertson county.

Ordered, That said return be referred to the committee on Finance.

Mr. Easley from the committee on Divorces made a report upon the petitions of Josiah Morgan, Willie W. Scruggs, R. H. Williams, and William Phillips.

And the resolution therein contained was concurred in by the House as follows, to wit:

Resolved, That the prayer of the petitioners respectively ought not to be granted.

Mr. Nevins from the committee on Captains' companies and Justices of the peace, reported a resolution appointing Justices of the peace for the county of Williamson.

And the question being taken on agreeing thereto it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith and ask their concurrence therein.

Mr. Brown from the committee on the Judiciary, reported the bill to repeal an act entitled an act to explain and amend an act entitled an act to regulate certain proceedings on executions and for other purposes, without amendment, and the said bill was read a second time and passed.

Mr. Brown from the same committee reported the bill more effectually to prevent frauds, with amendments, which were read and agreed to by the House.

And the said bill was read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Brown from the same committee reported the bill respecting sales of goods, and to prevent venders and mortgagers from secreting, changing and covering property by fraud, without amendment.

When the said bill was read the first time and rejected.

Mr. McGaughey from the committee of propositions and grievances, made an unfavorable report upon the petition of the Judge of the 4th circuit.

Ordered, That said report lie on the table.

Mr. McGaughey from the same committee made a report upon the petition of John Grimes, and the resolution therein contained was concurred in by the House as follows to wit:

Resolved, That the prayer of the petitioner ought not to be granted.

On motion of Mr. Dunlap,

Ordered, That the report of *Hu. L. White*, in relation to Indian reservations be sent to the Senate.

On motion of *Mr. Wright*,

Ordered, That the bill for the relief of *Elizabeth Humphreys* be referred to the committee on the *Hiwassee* lands.

A message from the Senate by *Mr. Hill* their Clerk.

Mr. Speaker:—

The Senate concur in the resolution of this house appointing Justices of the peace for the counties of *Sumner* and *Hickman*.

And then he withdrew.

The following bills from the Senate were severally read the first time and passed, to wit:

A bill to incorporate the *Trenton Female Academy* in the county of *Gibson*; and a bill for the relief of *John Key* and *Thomas White*.

Ordered, That the Clerk acquaint the Senate therewith.

A bill to establish an additional court martial in the 4th regiment; A bill to authorise *Jeremiah Johnson* to build a mill dam on *French Broad* river; A bill to repeal the 4th section of an act for the benefit of the *Bean's Station Turnpike* company; and a bill to amend the laws relative to the trial of slaves, were severally read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of *Mr. Dew*,

Ordered, That the bill to declare in force all the acts of the States of *North Carolina* and *Tennessee*, contained in *Haywood* and *Cobb's* Revisal, be referred to the committee on the Judiciary.

Ordered, That *Mr. Easley* have leave to withdraw for amendment a bill giving further time for surveying entries and obtaining grants thereon.

Ordered, That *Mr. Kincaid* have leave to withdraw for amendment a bill concerning Guardians.

A bill to extend the time of making surveys south and west of the Congressional reservation line, was read a first time, amended on motion of *Mr. James Gray* and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The two houses assembled in the Hall of this House to elect a Secretary of State, and on collecting and counting out the ballots the first time, it appeared that *Samuel G. Smith*, of the county of *Jackson* was duly elected. After which the two houses separated.

Mr. Nevins returned a bill to authorize *William Martin* to build a bridge across *Collins' river*, without amendment.

Whereupon, the said bill was read the third time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Stockton introduced a bill to exempt the militia of the 58th Regiment from battalion muster, and *Mr. Turney* introduced a bill to amend the militia laws of this State.

Which bills were severally read the first time and passed. Mr. Joel R. Smith introduced the following resolution, to wit: *Resolved*, That the committee on the Penitentiary be instructed to enquire into the expediency of so amending the penal code of this State as to allow each convict in the Penitentiary a respite of one hour from labor each day at 12 o'clock; and also of allowing to each convict pen, ink, and paper, and the privilege of writing to their relations, under the inspection of the keeper; and also of furnishing to each convict one copy of the history of the United States.

And the question being taken on agreeing thereto, it was determined in the negative.

On motion of Mr. Turney,

The House took up the following resolution, introduced by Mr. Allen, to wit:

Resolved, That the House select, by ballot, five managers, to conduct the impeachment exhibited by the House of Representatives against Joshua Haskell, judge of the 8th circuit, before the Senate of the State.

And the question being taken on agreeing thereto, it was determined in the affirmative.

YEAS 37

NAY 1

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are,

Messrs. Speaker Huling, Allen, Boddie, Brown, Carriger, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Dunlap, Easley, Gillespie, Gordon, Gowan, James Gray, George Gray, Harlen Holland, Hurst, Inge, Kincaid, Maury, McFarland, McGaughey, McLean, Nevins, Paris, Roberson, Rogers, Alexander E. Smith, Joel R. Smith, Stockton, Turney, Vernon, Watkins, and Wright.

The negative vote was Mr. Young.

Whereupon the house proceeded, by ballot to the choice of five managers, in pursuance of said resolution; and

Upon collecting and counting out the ballots the first time, it appeared that Mr. Allen, Mr. Dunlap, Mr. Claiborne, Mr. Inge, and Mr. Turney, were duly elected.

Mr. Hurst returned a bill to secure to poor persons the means of supporting their families, with an amendment, which was read.

And the question being taken on agreeing thereto, it was determined in the negative.

Ordered, That Mr. Joel R. Smith have leave to withdraw the said bill for amendment.

On motion of Mr. Boddie,

Resolved, That the Secretary of State be instructed. to procure for the use of the house, an abstract of the late United States census of the State of Tennessee, shewing the whole number of free persons in this State; and also the whole number of slaves, the number of free male inhabitants between the ages of twenty-one and fifty years—and the whole number of slaves between the ages of twelve and fifty years in each county in this State.

On motion of *Mr. Kincaid*,

Resolved, That the managers appointed on part of this House, to conduct the impeachment against Joshua Haskell, judge of the 8th circuit, be instructed to procure the articles and specifications of, and all the evidence pertaining to said Impeachment, from the court of impeachment, and lay the same before the House for its examination.

And then the House adjourned.

FRIDAY, SEPTEMBER 30, 1831.

Mr. Young presented a petition of Jacob Hackney, praying the passage of an act authorizing him to exhibit a show in this state for one year without licence.

Ordered, That the said petition be referred to the committee on propositions and grievances.

Mr. Hurst presented petitions from Nancy Greer and Margaret Smith; severally praying to be divorced from their husbands; and a petition of Geo. Gibson and Russell Lane, praying that \$61 77 cents interest paid under the act of 1829, may be refunded to them.

Ordered, That the first and second of said petitions be referred to the committee on divorces, and the last of said petitions to the committee on claims.

Mr. Vernon presented a petition of Caleb Dobbs, praying an amendment of the act of 1829, Chap. 69

Ordered, That said petition be referred to the committee on the Hiwassee lands.

Mr. Watkins presented a petition of Nathaniel B. Butler, praying the passage of an act to refund certain money by him paid for licence to retail merchandize.

Ordered, That said petition be referred to the committee on Claims.

Mr. Joel R. Smith presented the Circuit court Clerk's return of Carroll county.

Ordered, That said return be referred to the committee of Finance.

Mr. Easley, from the committee on Divorces, reported a bill to divorce Rhoda Dossett and others.

Which bill was read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Nevins, from the committee on captains' companies and justices of the peace, reported a resolution appointing justices of the peace for the counties of Warren and Hickman.

And the question being taken, on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. McGaughey, from the Committee of propositions and grievances, reported a bill for the benefit of James C. Davidson.

Which bill was read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Kincaid from the Committee on Banks, reported the following resolution, to wit:

Resolved, That 2,000 copies of the condensed view of the report of Samuel G. Smith, shewing the situation of the entry taker's offices and Bank agencies, in middle and West Tennessee, be printed for the use of this house.

And the question being taken, on agreeing thereto, it was determined in the affirmative.

Mr. Hurst, from the committee on new counties and county lines, reported a bill to establish a new county, from the counties of Franklin, Warren and Bedford.

On motion of Mr. George Gray,

Ordered, That the said bill be re-committed to the said committee, for the further examination of evidence therein.

Mr. Wright, from the committee on the Hiwassee lands, reported a bill for the relief of Elizabeth Humphreys, without amendment.

On motion of Mr. Vernon,

Ordered, hat the said bill be recommitted to the committee, for further examination and amendment.

On motion of Mr. Boddie,

Resolved, That the senate meet the House of Representatives at half past two o'clock this evening, to count the votes for Governor.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Easley returned a bill giving further time for surveying entries, and obtaining grants thereon, with an amendment, which was read and agreed to by the House.

Whereupon, the said bill was read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Turney,

Ordered, That Mr. Geo. Gray, Mr. Parris, and Mr. Kincaid, be added to the committee on new counties and county lines.

H HOUSE.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker.

The Senate concur in this resolution of the House, appointing justices of the peace for the county of Williamson, and the resolution of this House, directing that the votes for Governor shall be counted out this evening at half after 2 o'clock. The Senate have adopted a resolution directory to the board of Internal Improvement, in which they ask the concurrence of this House.—The Speaker of the Senate did this day sign enrolled bills—entitled, an act to incorporate an academy in the county of Hamilton—an act to amend an act entitled an act to authorize a tax to be laid in the county of Hawkins, to build a court house—and a resolution appointing justices of the peace for Lawrence county.

And then he withdrew.

The Speaker signed the said acts and resolution.

Ordered, That the Clerk deposite the said acts and resolution in the office of the Secretary of State.

On motion of Mr. Dunlap,

Ordered, That the resolution of the Senate directory to the board of Internal Improvement, lie upon the table.

Mr. Kincaid introduced a bill requiring the entry taker of Bedford county to record certain entries. Mr. Easley introduced a bill to prevent Sheriffs and other officers holding elections, from opening the tickets of voters—and, Mr. Rogers introduced a bill for the benefit of Wm. M'Coy.

Which bills were read the first time and passed.

Mr. Parris introduced a bill for the benefit of Jesse Savage.

Ordered; That said bill be referred to the committee on propositions and grievances.

On motion of Mr. Brown,

Resolved, That a select committee be appointed to digest and report a complete criminal code, for the government of slaves in this State—and,

A committee was appointed in pursuance of said resolution, consisting of Mr. Brown, Mr. Boddie, Mr. Dunlap, and Mr. McLean.

Mr. Joel R. Smith returned a bill to secure to poor persons the means of supporting their families, with an emendment, which was read—when

Mr. Cheatham made a motion to postpone the said bill and amendment indefinitely.

And the question being taken thereon, it was determined in the affirmative.

Mr. Dunlap introduced the following preamble and resolution, to wit:

Whereas,

That part of the constitution which requires that all elections

shall be by ballot, has relation to primary elections alone—and whereas a knowledge of the votes of the representatives of the people, is the only means which can secure a proper accountability to their constituents—therefore,

Resolved, by the General Assembly of the State of Tennessee, That all elections which may require the joint ballot of both Houses, shall be made *viva voce*, and shall be entered on the journals—the votes of the Senators on the journal of the Senate, and the votes of the Representatives on the journal of the House of Representatives.

Ordered, That said preamble and resolution lie on the table.

Mr. McLean introduced a bill to extend the limits of the town of Jackson.

Which bill was read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Dickinson,

The house resolved itself into a committee of the whole—and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Watkins reported, that the committee of the whole had, according to order had the judiciary system of the State under consideration—and had directed him to report progress, and ask leave to sit again:

Ordered, That the committee of the whole have leave to sit again upon the resolution of Mr. Allen of the 26th ins. on Tuesday.

A bill to authorize the entry taker of Perry county to keep his office at his own house,

Was read a third time and passed.

A bill to amend and explain an act entitled an act more effectually to prohibit county officers from speculating in county claims—and, a bill to enclose the milk sick hills in White county,

Were severally read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The following bills from the Senate were severally read the first time and passed, to wit:

A bill for the benefit of the Register of Maury county—and a bill to explain and amend the 7th section of chapter 10, of the act of 1784.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Allen,

Resolved, That the President and directors of the Bank of the State of Tennessee, furnish this House with the report of Samuel G. Smith, in relation to the entry takers' offices and Bank Agencies, in West Tennessee.

On motion of Mr. Dunlap,

Ordered, That the resolutions relating to the Colleges and Academies, and now lying on the table, be referred to the committee on Education:

On motion of Mr. Dunlap,

Ordered, That the Bill to amend an act entitled an act to amend the penal laws of the State of Tennessee—be referred to the committee on the judiciary.

Another member, to wit: Mr. Hatley, the Representative from the counties of Hardeman, McNairy, Fayette, Shelby, and Tipton, appeared, produced his credentials, and took his seat. The oath prescribed by the constitution of the State being first administered to him by William Lytle Esq. an acting justice of the peace for the county of Davidson.

The two Houses assembled in the hall of this House, for the purpose of counting out the votes given for Governor at the late general elections.

When upon comparing the returns and counting the votes received, in pursuance of the acts of the General Assembly in that behalf provided, it appeared that Gen. Wm. Carroll, of the county of Davidson, had a majority of votes—whereupon,

The Speaker of the Senate proclaimed Wm. Carroll duly and constitutionally elected Governor, in and over the State of Tennessee for the two ensuing years.

And then the Speaker and members of the Senate withdrew.

On motion of Mr. Roberson,

Ordered, That Mr. Carriger be added to the committee on the Penitentiary.

On motion of Mr. Dunlap,

Ordered, That Mr. Maury be added to the committee on Education.

On motion of Mr. McFarland;

Ordered, That Mr. McGowen be added to the committee on new counties and county lines.

On motion of Mr. Joel R. Smith,

Ordered, That Mr. Hatly be added to the committee on the Western District Lands.

On motion of Mr. Hurst,

Ordered, That Mr. Harden be added to the committee on new counties and county lines.

On motion of Mr. Allen,

Resolved, That a select committee be appointed to join such committee as may be appointed on part of the Senate, to notify the Governor elect, of his election, and to make and superintend the necessary arrangements for his Inauguration—and

Mr. Allen, Mr. Nevins, Mr. Cheatham and Mr. Inge, were appointed a committee in pursuance of said resolution on part of this House.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Turney introduced the following preamble and resolution, which were read at the Clerk's (table) as follows, to wit:

Whereas it is represented to this General Assembly, that Obed

river is capable of navigation to the landing near Gwinn in Fentress county—and whereas the mountains near said river, in the said county of Fentress, abound in stone coal and pine which is capable of producing quantities of plank, turpentine and tar—and whereas the navigation of said river is greatly impeded by a large rock in the centre thereof, and by a short bend in said river, which could be removed with the sum of six hundred dollars, together with the subscriptions already raised by the inhabitants of said county—Therefore,

Resolved, That the committee on internal improvement be instructed to enquire into the expediency of appropriating the sum of six hundred dollars to the purposes of clearing out and removing the aforesaid obstructions in the said river—and that said committee have power to hear such testimony as may be submitted to them upon said enquiry.

And the question being taken on agreeing thereto, it was determined in the affirmative.

A message from the Senate, by Mr. Hill, their Clerk.

M. Speaker—

The Senate have appointed a committee on their part, consisting of Mr. McClellan and Mr. Jetton, to join the committee on part of the House of Representatives, to notify the Governor elect of his election, and to superintend his inauguration.

And then he withdrew.

And the House adjourned.

SATURDAY, OCTOBER 1, 1831.

Mr. Rogers presented a petition of sundry citizens of Claiborne county, praying the passage of an act appropriating five hundred dollars to the improvement of the navigation of powels river.

Ordered, That said petition be referred to the committee on internal improvement.

Mr. Inge presented a petition of John Newnan, praying the passage of an act to authorize a special court, to hear and determine the case of Newnan vs. others, in equity.

Ordered, That said petition be referred to the committee of the judiciary.

Mr. Inge also presented a petition of Frily Jones one of the heirs of Mason Lee.

Ordered, That said petition and documents, with the petition and papers of J. & W. Pennywell, be referred to the committee on the judiciary.

Mr. Holland presented the returns of the county court Clerk of Henry county.

H2 HOUSE.

Ordered, 'That said returns be referred to the committee of Finance and captains' companies and justices of the peace.

Mr. McLean presented a petition of Daniel Madding, praying compensation for conveying a convict to the Penitentiary—also a memorial of the heirs of James Taylor—and documents and papers in relation to the impeachment of Judge Haskell.

Ordered, 'That the first of said petitions be referred to the committee on claims—the second of said petitions to the committee on land claims; and said documents and papers to the managers on the impeachment of Judge Haskell.

Mr. Gordon from the committee on land claims, reported a bill for the benefit of John Overton.

Which bill was read the first time and passed.

Ordered, 'That the Clerk acquaint the Senate therewith.'

Mr. Nevins, from the committee of Captains' companies and justices of the peace, reported a resolution appointing justices of the peace for the counties of Roane and Morgan.

And the question being taken on agreeing thereto it was determined in the affirmative.

Ordered, 'That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Allen, from the committee appointed to superintend the inauguration and notify the Governor elect of his election, reported, that the committee had performed the service assigned them, and that the oath of office would be administered to the Governor at 11 o'clock this day, in presence of both Houses of the General Assembly, in the Representatives Hall.

On motion of Mr. Brown,

Ordered, that Mr. Kincaid have leave of absence from the service of the House until Tuesday next.

Mr. Brown returned the bill which had been withdrawn by Mr. Kincaid, concerning guardians, without amendment—when,

The said bill was read a third time and passed.

Ordered, 'That the Clerk acquaint the Senate therewith.

On motion of Mr. McGaughey

Resolved, That the committee on military affairs, be instructed to enquire into the expediency of so amending the militia laws as to authorize the drill musters to be held on the day previous to the company musters, immediately preceeding the regimental musters in each regiment—and also the expediency of revising said laws and having them printed in pamphlet form, one copy for each commandant of a regiment, battallion and company.

On motion of Mr. Alexander E. Smith,

Ordered, That Mr. Cheatham and Mr. Boddie be added to the committee on Banks.

On motion of Mr. Vernon,

Ordered, That Mr. Dunlap be added to the committee on Banks.

Mr Dobbins returned a bill to amend an act on the subject of delivery bonds, with an amendment, which was read.

Ordered, That said bill and amendment lie on the table.

This day at 11 o'clock the two Houses assembled in the Hall of this House for the purpose of inaugurating the Governor elect

Whereupon, William Carroll, the Governor elect appeared and an oath to support the Constitution of the United States, a oath to support the Constitution of the State of Tennessee, an an oath of Office, was duly administered to the said William Carroll, by the Hon. John Catron, one of the Judges of the Supreme court of this State, in presence of the two Houses of the General Assembly, as Governor in and over the State of Tennessee, for the two ensuing years.

Whereupon the Speaker and members of the Senate withdrew. And then the House adjourned.

MONDAY, OCTOBER 3d, 1831.

Mr. Alex. E. Smith presented a Report of the Common school Commissioners of Cocke county.

Ordered, That said report be referred to the committee on education.

Mr. Stockton presented a petition of John and William Scarborough, praying the passage of an act allowing them the preference to a quarter section of land for erecting Iron Works.

Ordered, That said petition be referred to the committee on the Hiwassee lands.

Mr. Gordon presented the circuit court Clerk's return of Dickson county.

Ordered, That said return be referred to the committee on Finance.

Mr. James Gray presented a petition of John Davenport, praying a divorce from his wife Jane.

Ordered, That said petition be referred to the committee on divorces.

Mr. Joel R. Smith presented the county court Clerk's return of captains' companies and Justices of the peace in Gibson county.

Ordered, That said return be referred to the committee on captains' companies and Justices of the Peace.

Mr. Hatley presented the county court Clerk's return of captains' companies and Justices of the peace in Hardeman county.

Ordered, That said return be referred to the committee on captains' companies and Justices of the peace.

Mr. Cheatham from the committee on Military affairs report-

ed a bill for the relief of Edmund Bear of Rhea county.—

Which bill was read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Cheatham from the same committee reported the bill to establish a separate battalion in Haywood county, and for other purposes, with amendments, which were read and agreed to by the House.

Whereupon the said bill was read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Allen from the committee on the Penitentiary, reported a bill to amend an act entitled an act prescribing the mode of conveying criminals to the public jail and Penitentiary house established in this State, and for their government therein.

Which bill was read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Carriger from the committee on enrolled bills reported a resolution appointing Justices of the peace for Williamson county.

A resolution appointing Justices of the peace for Sumner, Hickman and Jackson counties.

And a resolution appointing Justices of the peace for Warren and Hickman counties truly enrolled.

The Speaker signed the said resolution.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Wright from the committee on the Hiwassee lands reported a bill providing for the entry of the forfeited lands in the Hiwassee district.

Which bill was read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. James Gray introduced a bill for the benefit of Richard C. Napier.

Which bill was read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Claiborne,

Resolved, That the committees of the two houses on Finance, act jointly in their settlements with the Treasurers of this State.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. James Gray introduced a bill for the benefit of William Mothershead.

Which bill was read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Turney introduced the following preamble and resolution to wit:

Whereas, much expense and litigation has and will be incurred, between the Indian reservees and the purchasers of the Hiwassee lands; and whereas much speculation and fraud has been practised by individuals, to the great injury of the State.

Resolved, That the committee on the Hiwassee lands be instructed to enquire into the expediency of employing an Agent on behalf of the State, to purchase in all claims of Reservees, which to such Agent may seem necessary for the advantage of the State. And to adopt such other measures as may seem proper for restricting persons from speculating in and purchasing said claims.

And the question being taken on agreeing thereto, it was determined in the affirmative.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker:—

The Senate concur in the Resolution of this House appointing Justices of the peace for Warren and Hickman counties; also in your resolution providing for the election of Surveyor General of the 11th district, and surveyors for the counties of Coker, Anderson, and Hamilton on Tuesday the 4th inst. The Senate have adopted resolutions appointing Justices of the peace for the counties of Warren and Williamson, in which they ask the concurrence of this House.

And then he withdrew.

The House took up the said message, and the question being taken on agreeing to the resolution appointing Justices of the peace for Williamson county, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Parris,

Ordered, That the resolution appointing a Justice of the peace for Warren county lie on the table.

Mr. Inge, one of the managers on the Impeachment against Judge Haskell, in pursuance of the Resolution of this House of the 29th inst, laid upon the Clerk's table the articles of Impeachment, the evidence taken before the select committee at the last session, together with sundry documents and memorials from citizens of the Western District, in relation to said Impeachment.

Mr. James Gray made a motion that the articles of Impeachment, together with the evidence be read at the Clerk's table.

Mr. Geo. Gray made a motion to amend the said motion by adding thereto the words "and also that the papers, documents and memorials from the citizens of the Western District," he read at the Clerk's table.

And the question being taken thereon, it was determined in the negative.

The question recurring on the motion of Mr. James Gray, and being put,

It was determined in the negative.

The following bills from the Senate were severally read the first time and passed, to wit:

A bill relative to the registration of deeds and for other purposes—a bill for the relief of the Surveyor General of the 13th district; and, a bill to compel constables to pay a poll tax.

Ordered, That the Clerk acquaint the Senate therewith.

A bill for the benefit of Elizabeth Casey of Rhea county; and a bill for the relief of John R. Charter,

Were severally read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Claiborne introduced a bill to authorize the construction of a bridge across Cumberland river at Nashville, above the mouth of broad street—and, Mr. Wright introduced a bill to reduce the fees on marriage licence.

Which bills were severally read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The House took up a bill to compensate James A. Whiteside for superintending the printing and publication of Haywood & Cobb's Revisal.

On motion of Mr. Hurst,

Ordered, That said bill be referred to the committee on Claims.

A bill to explain an act entitled an act to prescribe the mode of obtaining appeals in certain cases,

Was read a second time and rejected.

On motion of Mr. Parris,

The House took up the Senate's resolution, appointing John Black a justice of the peace for Warren county.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate, by Mr. Hill their Clerk.

Mr. Speaker.

The Senate concur in the resolution of this House appointing justices of the peace for Roane and Morgan counties. They also concur in the resolution of this House, directing the committees of Finance of each House to act jointly in their settlements with the Treasurer of this State. The Senate have adopted a resolution appointing Denton Plumlee a justice of the peace for Jackson county, in which they ask the concurrence of this House.

And then he withdrew.

Ordered, That the said resolution of the Senate lie on the table.

On motion of Mr. Maury,

The House took up the report of the committee of propositions and grievances, on the petition of the judge of the 4th Circuit.

Mr. Maury made a motion to recommit the said report, with instructions to the Committee to report a bill for the relief of the petitioner.

And the question being taken thereon, it was determined in the negative.

Orderer, That said report lie on the table.

And then the House adjourned.

TUESDAY, OCTOBER 4, 1831.

Mr. Kincaid appeared and took his seat.

The Speaker laid before the House a communication from the Hon. John Catron, resigning his appointment as a Judge of the Supreme Court of this State.

The resignation was read at the Clerk's table and accepted.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Stockton presented the Resignation of Joseph Bryant, a justice of the peace for Roane county.

The said resignation was read and accepted, and

Ordered, To be referred to the committee on Captain's companies and justices of the peace.

Mr. Wright presented the circuit court Clerk's return of Monroe county; and the petitions of Daniel Bain and John Torbet, praying compensation for improvements made in the Hiwassee district; also a petition of John H. Torbet, praying the passage of an act authorizing him to retail merchandize without licence; and a petition of sundry citizens of Monroe county, praying a repeal of all laws heretofore passed, directing the sale of the school lands in this State.

Ordered, That the said Clerk's return be referred to the committee on Finance—the first and second of said petitions to the committee on the Hiwassee lands—the third of said petitions to the committee on propositions and grievances—and the last of said petitions to the committee on school lands.

Mr. Hurst presented a petition of James R. Sexton, praying for a divorce.

Ordered, That said petition be referred to the committee on divorces.

Mr. Nevins presented the county court Clerk's return of Overton county—and the report of the Clerk of the Circuit court of Jackson county, showing the number of causes docketed in said court, from April term 1825, to October term 1830.

Ordered, That said return be referred to the committee of Finance and Captain's companies and justices of the peace—and said report to the committee on the judiciary.

Mr. Claiborne presented a petition of Sally Anderson, praying divorce—and a petition of the Franklin and Nashville Turnpike company, praying an amendment to their charter.

Ordered, That the first of said petitions be referred to the committee on divorces—and the last of said petitions to the committee on Internal Improvement.

Mr. Maury presented a petition of Judeth Wilson—and a petition of Robert H. Scales, severally praying for a divorce; also sundry petitions praying the passage of an act allowing compensations to justices of the peace.

Ordered, That the first and second of said petitions be referred to the committee on divorces—and the balance of said petitions to the committee on Captain's companies and justices of the peace.

Mr. Inge presented the circuit court Clerk's return of Lincoln county.

Ordered, That said return be referred to the committee on Finance.

Mr. McGaughey from the committee on propositions and grievances, made a report upon the petition of George Selvidge—and the resolution therein contained was concurred in by the House, as follows, to wit:

Resolved, That the prayer of the petition ought not to be granted.

Mr. McGaughey, from the same committee, reported a bill to restore Jonathan Crawford to legal privileges.

Which bill was read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Carriger from the committee for enrolled bills reported a resolution appointing justices of the peace for Roane and Morgan counties truly enrolled.

The Speaker signed the said resolution.

Ordered That the Clerk acquaint the Senate therewith.

Mr. Brown from the committee on the judiciary, made a report in compliance with the resolution of the House, instructing said committee to enquire into and report the causes of delay in the administration of justice in the Supreme court.

The said report was read at the Clerk's table—and,

Ordered, That 1,000 copies thereof be printed for the use of this house.

On motion of Mr. Alexander E. Smith,

Resolved, That the joint resolution providing for the election of a surveyor for Cocke county, on this day be rescinded.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. McLean introduced a bill to tax certain offices, and for other purposes.

Which bill was read the first time,

And on the question "shall the bill pass," it was determined in the negative. And so, the said bill was rejected.

On motion of Mr. Nevins,

The house took up the Senate's Resolution appointing Denton Plumlee a justice of the peace for Jackson county—whereupon,

Mr. Easley submitted the following resolution, to wit:

Resolved, That inasmuch as the county of Jackson already has its constitutional number of Justices of the Peace, that this house noneoncur in the resolution of the Senate, appointing Denton Plumlee a Justice of the Peace for Jackson county.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker—The Senate concur in the resolution of this house rescinding the joint resolution of the two houses providing for the election of a surveyor for Cocke county on this day—the Speaker of the Senate did this day sign an enrolled resolution and acts of the following titles, to wit:

A resolution appointing justices of the peace for the county of Williamson. An act to authorize the entry taker of Perry county to keep his office at his own house and for other purposes—and an act to authorize William Martin to build a bridge across Collins river in warren county.

And then he withdrew—when

The Speaker signed the said acts and resolution.

Ordered, That they be deposited in the office of the Secretary of State.

The two Houses assembled in the hall of this House, for the purpose of going into the several elections set apart for this day—

On collecting and counting out the ballots for public printer for the ensuing two years, it appeared that Frederic S. Heiskell, of Knoxville, and Allen A. Hall of Nashville, were duly elected.

On collecting and counting out the ballots for a Surveyor of the 11th district, it appeared that Edmund W. Tipton was duly elected.

On collecting and counting out the ballots for Surveyor of Anderson county, it appeared that Saml. C. Young was duly elected.

On collecting and counting out the ballots for Surveyor of Hamilton county, it appeared that Benj. W. Cannon was duly elected.

Whereupon, the Speaker and members of the Senate withdrew.

The House resolved itself into a committee of the whole, on the judiciary system of this State, and after some time spent therein, the Speaker resumed the chair, and Mr. Cheatham reported that the committee of the whole had according to order had the judiciary system of this state under consideration—and had directed him to report progress, and ask leave to sit again.

Ordered, That the committee of the whole have leave to sit again on tomorrow. And then the House adjourned.

I HOUSE.

WEDNESDAY, OCTOBER 5, 1831.

Mr. Hurst presented a petition of sundry inhabitants of the Hiwassee district, praying a repeal of all laws authorizing and directing a sale of the school lands—and a petition of William S. Hanie, praying the passage of an act authorizing him to retail spirituous liquors without licence.

Ordered, That the first of said petitions be referred to the committee on school lands—and the last of said petitions to the committee of propositions and grievances.

Mr. Boddie presented a report of the Clerk of Sumner county circuit court, of causes docketed in said court from the April term 1825, to October term 1830.

Ordered, That said report be referred to the committee on the Judiciary.

Mr. Inge presented a petition of Faulkner Sisk, praying for a divorce.

Ordered That said petition be referred to the committee on divorces.

Mr. Turney introduced a bill to encourage the raising of good horses, and for other purposes—Mr. Boddie introduced a bill authorizing imprisonment for misdemeanors in certain cases—Mr. Rogers introduced a bill to repeal all laws taxing suits at law and equity—and, Mr. Hatley introduced a bill to incorporate the town of Lagrange in the county of Fayette.

Which bills were severally read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Geo. Gray introduced a resolution authorizing the Registers of this State to issue certificates in certain cases.

Ordered, That said resolution be referred to the committee on Land Claims.

On motion of Mr. Nevins, the House took up the bill to amend an act entitled an act prescribing the mode of conveying criminals to the public jail and penitentiary house established in this State, and for their government therein.

The said bill was read a second time—amended on the motions severally of Mr. Vernon, Mr. Boddie, and Mr. Turney—and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Whereupon, the Speaker laid before the House a communication in writing from the Trustees of the College of West Tennessee respectfully requesting the members of the House of Representatives on behalf of their constituents to attend the exercises of the students of said college, in one of the public churches of Nashville, at 11 o'clock this day, to witness in person their progress in science and learning. Whereupon;

Mr. Claiborne made a motion that this house do adjourn until

two o'clock, for the purpose of attending the said exercises.

And the question being taken thereon, it was determined in the negative.

YEAS 18

NAYS 19

The yeas and nays being desired by the constitutional number of members.

Those who voted in the affirmative are, Messrs. Speaker Huling, Allen, Boddie, Cheatham, Claiborne, Dew, Dobbins, Dunlap, Gillespie, Gordon, Geo. Gray, Holland, Hurst, Inge, Maury, McLean, Rogers and Alex. E. Smith.

Those who voted in the negative are, Messrs. Brown, Carrier, Easley, Gowen James Gray, Hatley, Harden, Kincaid, McFarland, McGaughey, Nevins, Parris, Roberson, Joel R. Smith, Stockton, Turney, Vernon, Watkins, and Young.

And so the House refused to adjourn for the purpose of attending and witnessing the said exercises.

A bill from the Senate to defray the expenses of the present session of the General Assembly,

Was read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith

The House took up a bill to amend and explain the law in relation to elections.

On motion of Mr. James Gray.

Ordered, That said bill lie on the table until Monday next, the 10th inst.

The house resolved itself into a committee of the whole on the judiciary system of this State—and after some time spent therein the Speaker resumed the chair, and Mr. Cheatham reported that the committee of the whole had according to order had the judiciary system of this State under consideration and had made some progress therein—and had directed him to ask leave to sit again.

Ordered, That the committee of the whole have leave to sit again on tomorrow.

And then the House adjourned.

THURSDAY, OCTOBER 6th, 1831.

Mr. Geo. Gray presented the Circuit court Clerk's return of Franklin county.

Ordered, That said returns be referred to the committee of Finance.

Mr. Nevins presented the report of the common school commissioners of Jackson county.

Ordered, That said report be referred to the committee on education.

Mr. Claiborne presented a petition of Dempsey Corbet and others, for payment as guards.

Ordered, That said petition be referred to the Committee of Claims

Mr. Maury presented a petition of sundry inhabitants, praying compensation to be allowed to Justices of the Peace:

Ordered, That said petition be referred to the committee on the judiciary.

Mr. Dobbins presented a petition of sundry inhabitants of Maury county, praying that a part of the penitentiary house be set apart for the keeping of lunatics.

Ordered, That said petition be referred to the committee on the penitentiary.

Mr. Joel R. Smith from the select committee to which was referred the bill for the relief of Arkey T. Partee and Barsheba G. Partee, reported the same with an amendment, which was read—when the said amendment was amended on motion of Mr. Kincaid, and the amendment as amended was agreed to by the House.

Whereupon, the said bill was read a second time, and on the question “shall the bill pass,” it was determined in the negative.

YEAS 12

NAYS 26

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are,

Mr. Brown, Dobbins, Dunlap, Geo. Gray, Inge, Kincaid, McLean, Nevins, Joel R. Smith, Turney, Wright and Young.

Those who voted in the negative, are,

Mr. Speaker Huling, Allen, Boddie, Carriger, Cheatham, Claiborne, Dew, Dickinson, Easley, Gillespy, Gordon, Gowen, James Gray, Harden, Holland, Hurst, Maury, McFarland, McGaughey, Parris, Roberson, Rogers, Alex. E. Smith, Stockton, Vernon and Watkins. And so the said bill was rejected.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker:—The Speaker of the Senate did on yesterday, sign enrolled Resolutions and an act of the following titles, to wit:

A resolution directory to the President and Directors of the Bank of the State of Tennessee; a resolution appointing Justices of the peace for Warren county, and an act for the relief of Elizabeth Young, Administratrix of William Young, dec'd.

And then he withdrew.

When the Speaker signed the said Resolutions and act, and ordered that the same be deposited in the Office of the Secretary of State.

The House took up a bill to amend an act entitled an act prescribing the mode of conveying criminals to the public Jail and Penitentiary house established in this State, and for their government therein.

Mr. James Gray made a motion to amend the said bill by striking out the words 'one dollar,' the compensation allowed for transporting each convict for the purpose of inserting the words "fifty cents," as the compensation to be allowed for such service.

And the question being taken thereon it was determined in the negative.

Whereupon, the said bill was read a third time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Stockton,

Resolved, That a select committee be appointed to consist of five members, and to be denominated the committee on Indian reservations. and a committee was appointed in pursuance of said resolution, consisting of Mr. Stockton, Mr. Dew, Mr. Inge, Mr. Wright, and Mr. James Gray.

Mr. McLean introduced a bill to incorporate the town of Denmark, in the county of Madison.

Mr. Gordon introduced a bill to enable the citizens of Dickson county to build a court house, and for other purposes, and Mr. Boddie introduced a bill to incorporate the subscribers to the Bank of Tennessee. Which bills were severally read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Dickinson,

Resolved, That the committee on Banks be instructed to examine into the situation of the Bank of the State, and report what progress has been made by the Directory in the settlement of the old business, as well as the present condition of its concerns.

A bill to amend the laws of this State on the subject of public roads, a bill to amend an act entitled an act authorizing John Brown to open a Turnpike road, and a bill to reduce the fees of county Registers, were severally read a second time and passed.

A bill concerning the distribution of Haywood & Cobb's Revision, and a bill to repeal the law allowing tax fees to attorneys, were severally read a third time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill for the relief of Joel L. Stone and others, was amended on the motions severally of Mr. Kincaid and Mr. Young, when, on motion of Mr. McGaughey,

Ordered, That said bill be referred to the committee of propositions and grievances.

The following bills from the Senate were severally read the first time and passed, to wit:

A bill to alter the times of holding the county courts of Dyer and

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Obion counties, and for other purposes; a bill to secure and provide for the collection of the legitimate revenue of this State, and a bill to repeal part of an act entitled an act to reform and amend the penal laws of the State of Tennessee.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of *Mr. McLean*, the House took up the Senate's resolution directory to the Board of trustees of the Nashville University, and of East Tennessee College.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of *Mr. Turney*,

Ordered, that the committee on the Judiciary be discharged from the further consideration of the bill for the benefit of the heirs of James Peak; a bill to change the time of holding the Regimental musters in the 76th Regiment, was read a third time and last time, passed and ordered to be engrossed.

The House resolved itself into the committee of the whole, on the Judiciary system of this State, and after some time spent therein the Speaker resumed the chair, and *Mr. Cheatham* reported, that the committee of the whole had according to order, had the Judiciary system under consideration, and had directed him to report progress, and ask leave to sit again.

Ordered, that the committee of the whole have leave to sit again on tomorrow.

And then the House adjourned.

FRIDAY, OCTOBER 7, 1831.

Mr. McGaughey presented a petition of Cain Broyles, praying a charter for a Turnpike road in Greene county

Ordered, that said petition be referred to the committee on Internal Improvement.

Mr. McFarland presented a petition of James Parkey, and *Mr. Dobbins* presented a petition of Thomas Oakley, severally praying the passage of an act authorizing them to hawk and peddle without license.

Ordered, that said petitions be referred to the committee of propositions and grievances.

Mr. Vernon presented the resignation of Daniel M. Stockton, as a Justice of the peace for Rhea county; the said resignation was accepted, and ordered to be referred to the committee on Captains' companies and Justices of the peace.

Mr. Nevins presented a petition of Nathan Parker, praying to be divorced from his wife Susannah.

Ordered, that said petition be referred to the committee on divorces.

Mr. Inge presented the county court Clerk's return of tax lists, and Captains' companies and Justices of the peace of Lincoln county.

Ordered, That said return be referred to the committee of Finance and Captains' companies and Justices of the peace.

Mr. Dobbins presented a petition of sundry inhabitants of Maury county, praying the passage of an act authorizing the county courts to grant license to Grocery keepers

Ordered, that said petition be referred to the committee on the Judiciary.

Mr. McLean presented the resignation of William Fitzgerald as Solicitor General of the 15th district. The said resignation was accepted and ordered to be sent to the Senate.

Mr. Nevins from the committee on Captains' companies and Justices of the peace, reported a resolution appointing Justices of the peace for Wilson county.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Watkins from the committee on claims, reported the bill to compensate James A. Whiteside for superintending the printing and publication of Haywood & Cobb's revision, with an amendment, which was read and agreed to by the House.

Whereupon the said bill was read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Carriger from the committee for enrolled bills, reported an act to change the time of holding the Regimental musters in the 76th Regiment, truly enrolled. The Speaker signed the said act.

Ordered, That the Clerk acquaint the Senate therewith.

The following bills from the Senate were severally read the first time and passed, to wit:

A bill to repeal all laws authorizing the Treasurer to sell or rent the lands laid off for the use of schools in this State; a bill for the relief of Montgomery Irvine, Jailor of Sullivan county; a bill to authorize appeals in cases of fines for contempt; a bill to authorize the Sheriff of Hardeman county to pay over certain money; a bill to prevent the bringing of law suits and for the benefit of defendants; a bill to authorize Justices of the peace to take bail in certain cases; a bill to authorize the register of Carroll county to keep his office at his own house; a bill to amend an act entitled an act to prescribe the manner of holding elections in Knox county; a bill concerning justices of the peace; a bill for the relief of William Sanderlin and others; a bill to regulate the

academies of this State; and a bill to do away jury trials in the county court.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Dunlap introduced a bill for the benefit of the Register of East Tennessee; and a bill to increase the common school funds;

Mr. Turney introduced a bill explanatory of an act entitled an act to help and speed poor persons in obtaining their just rights; Mr. Holland introduced a bill to establish a town in the county of Henry; Mr. Inge introduced a bill to authorize the Sheriff of Lincoln county to appoint three deputies; and Mr. Joel R. Smith introduced a bill appointing the time of holding regimental musters in the 99th regiment.

Which bills were severally read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate, by Mr. Hill their Clerk.

Mr. Speaker—The Speaker of the Senate did this day sign an enrolled bill entitled an act for the benefit of Aaron Higgenbottom.

And then he withdrew: when,

The Speaker signed the said act; and,

Ordered, That the same be deposited in the office of the Secretary of State.

A bill requiring the entry taker of Bedford county to record certain entries; and a bill to establish the Montgomery Rangers; were severally read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Kincaid,

Ordered, That the bill to repeal all laws taxing suits at law and equity, be referred to the committee of Finance.

A bill from the Senate to incorporate Clinton lodge in the town of Boliver was read.

Mr. McLean made a motion to lay the said bill on the table until the first day of March next.

And the question being taken thereon, it was determined in the affirmative.

Ordered, That Mr. Harden have leave to withdraw for amendment a bill to reduce the fees on marriage license.

On motion of Mr. Stockton,

Resolved, That the committee on Indian reservations on part of this House, and on part of the Senate, be made a joint committee of both houses.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

A bill to incorporate Trenton Female Academy in the county of Gibson; a bill authorizing imprisonment for misdemeanors in certain cases—and, a bill to incorporate the town of Lagrange in the county of Fayette; were severally read a second time and passed.

A bill to establish an additional court martial in the 4th Regt. was read a third time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Kincaid,

Ordered, That the bill to amend the law relative to the trial of slaves, be referred to the select committee to which is referred the instructions of this House, to prepare a code of laws for the trial of slaves.

Mr. Harden made a motion to reconsider the vote of this House, rejecting the bill for the relief of Arkey T. Partee and Barsheba G. Partee.

And the question being taken thereon, it was determined in the affirmative; and

Ordered. That said bill lie on the table.

Mr. Claiborne, one of the managers on the Impeachment of Judge Haskell, made a report upon the subject of said impeachment, signed by each of the managers, which report was read, and on motion of Mr. Inge,

Ordered. To lie on the table until tomorrow.

The House resolved itself into the committee of the whole, on the judiciary system of this State; and after sometime spent therein, the Speaker resumed the chair, and Mr. Cheatham reported, that the committee of the whole had, according to order, had the judiciary system under consideration, but had not yet come to any resolution thereon—and had directed him to ask leave to sit again.

Ordered, That the committee of the whole have leave to sit again on Tuesday next.

And then the House adjourned.

SATURDAY, OCTOBER 8, 1831.

The Speaker laid before the House a communication from the President of the Bank of the State of Tennessee, acknowledging the service of a copy of a joint resolution of the General Assembly of the 26th of September, and also a resolution of the same date of the House of Representatives.

The said communication was read, and

Ordered. To lie on the table.

Mr. Easley presented a petition of sundry citizens of the county of Grainger, praying the passage of an act establishing a precinct election in said county.

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. Stockton presented a petition of Thomas Core, praying

the benefits of an act allowing purchasers of land in the Hiwassee district a discount of 37½ per cent.

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. Hurst presented the petition of the widow of John Dittmore, praying the passage of an act to refund her ten dollars, paid on a half quarter section of land through mistake—and the certificate of the cashier of the bank of the State, acknowledging the payment into bank of \$10,000 by the entry taker of the Hiwassee district.

Ordered, That said petition be referred to the committee of claims—and said certificate to the committee of finance.

Mr. Allen presented a petition of Timothy Bethel, praying the passage of an act authorizing him to hawk and peddle without license.

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. Dew presented a petition of sundry inhabitants of Wilson county, praying the establishment of a new company of militia in said county.

Ordered, That said petition be referred to the committee of military affairs.

Mr. Kincaid presented petitions of sundry inhabitants of Bedford county, on behalf of Peter Chilcut and Augustus H. White.

Ordered, That said petitions be referred to the committee of propositions and grievances.

Mr. Dobbins presented a petition of sundry inhabitants of Maury county, respecting elections.

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. McGaughey, from the committee of propositions and grievances, reported the bill for the relief of Joel L. Stone and others, with an amendment—which was read—when,

On motion of Mr. Wright,

Ordered, That said bill and amendment be recommitted to the said committee, with instructions to report an amendment thereto, authorizing Joel L. Stone and Nathaniel Ragan to retail merchandize at any one place without license.

Mr. McGaughey from the same committee made an unfavorable report upon the petition of Jacob Hackney.

On motion of Mr. Young,

Ordered, That said report lie on the table.

Mr. McGaughey, from the same committee, made a report upon the petition of the inhabitants of this State, praying an alteration in the laws relative to retailing spirituous liquors—and on the petition of William L. Haney—and the resolution therein contained was concurred in by the House as follows, to wit:

Resolved, That the prayers of the petitioners respectfully ought not to be granted.

Mr. Turney introduced a bill for the benefit of Allen L. Mitchell and others of White county.

Ordered, That said bill be referred to the committee of propositions and grievances.

Mr. McLean introduced a bill to release Steven Johnson from the payment of certain monies—and a bill to amend an act passed in 1829 Chap. 52. And Mr. Nevins introduced a bill to authorize the appointment of a jury to attend the next county court of Jackson county.

Which bills were severally read the first time and passed.

Mr. Harden returned the bill to reduce the fees of marriage license—without amendment.

Mr. Kincaid made a motion to amend the said bill, by striking out the words 'twenty five cents' for the purpose of inserting in lieu thereof, the words "thirty seven and a half cents" as the Clerk's fee for a marriage licence.

And the question being taken thereon, it was determined in the negative.

YEAS 6

NAYS 30

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are Messrs. Inge, Kincaid, Maury, Joel R. Smith, Stockton, and Watkins.

Those who voted in the negative, are Messrs. Speaker Huling, Allen. Boddie, Carriger, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Dunlap, Easley, Gillespie, Gordon, Jas. Gray, Geo. Gray, Harden, Holland, Hurst, McFarland, McGaughey, McLean, Nevins, Parris, Roberson, Rogers, Alexander E. Smith, Turney, Vernon, Wright and Young.

Mr. Dunlap made a motion to amend the said bill, by adding thereto an additional section, No. 2.

And the question being taken thereon, it was determined in the affirmative.

Mr. Cheatham made a motion to amend the said bill by striking out the first section from the enacting clause of the bill, for the purpose of inserting in lieu thereof, the following words, to wit: "That hereafter, when any individual shall apply for marriage license to any of the Clerks of the county courts of this State, and shall state to said Clerk, that he is unable to pay the sum of seventy five cents for such license, said Clerk shall not withhold, but issue license to any such person free of charge."

And the question being taken thereon, it was determined in the affirmative.

YEAS 27

NAYS 9

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are Messrs. Speaker Huling, Allen, Boddie, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Dunlap, Easley, Gordon, James Gray, Geo. Gray, Harden, Holland, Inge, Maury, McFarland, McGaughey, Nevins, Roberson, Rogers, Alexander E. Smith, Joel R. Smith, Vernon, Watkins, and Young.

Those who voted in the negative, are Messrs. Carriger, Gillespie, Hurst, Kincaid, Parris, Stockton, Turney, and Wright.

Whereupon, Mr. Claiborne made a motion to reconsider the vote adopting Mr. Dunlap's amendment as the second section of the bill.

And the question being taken thereon, it was determined in the negative.

YEAS 16.

NAYS 19.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are Messrs. Carriger, Claiborne, Dew, Dobbins, Gillespie, James Gray, Inge, Kincaid, Maury, McFarland, McGaughey, McLean, Parris, Joel R. Smith, Stockton and Wright.

Those who voted in the negative are Mr. Speaker Huling, Allen, Boddie, Cheatham, Dickinson, Dunlap, Easley, Gordon, Geo. Gray, Hardin, Hurst, Nevins, Roberson, Rogers, Alex. E. Smith, Turney, Vernon, Watkins, and Young.

Ordered, That said bill lie on the table until Monday next.

On motion of Mr. Allen, the House resolved itself into a committee of the whole, on the Impeachment of Judge Haskell, and after some time spent therein, the Speaker resumed the chair, and Mr. Watkins reported that the committee of the whole had had under consideration the impeachment of Judge Haskell, and had come to a resolution thereon, in which the committee asked the concurrence of the House. The said resolution was thereupon read at the Clerk's table, and is as follows, to wit:

Resolved, that the managers appointed to prosecute the impeachment of Joshua Haskell, one of the Judges of the circuit courts of law and equity, in and for the State of Tennessee, proceed in the prosecution thereof agreeable to the rules of law in such case, that right and justice may be administered in the premises.

And the question being taken, on a concurrence in the report of the committee of the whole, it was determined in the affirmative.

And so, the said resolution was adopted.

And then the House adjourned.

OCTOBER 9, 1831.

At a special meeting of the House of Representatives this day, convened by order of the Speaker,

Mr. Carriger rose and addressed the House as follows:

Mr. Speaker.

It becomes my painful duty, as a colleague and friend, to announce to this house the death of Col. John Tipton, the representative from the county of Washington. The services and merits of the deceased are too well known to this House, to render it necessary for me, to enter into any detail of them here. Suffice it now for me to say, that he was a friend of his country, and an honest man, the noblest work of God. I will conclude, Sir, by offering the following resolutions.

Resolved, That this house will attend the funeral of the Hon. John Tipton, this evening, at such time and place as may be directed by the committee of arrangements.

Resolved, That the Senate be respectfully invited to join this House, in the funeral of the Hon. John Tipton.

Resolved, That the Speaker appoint a committee of arrangements and pall bearers, for the occasion of said funeral.

Resolved, That the members of this house wear crape on the left arm for thirty days, as a mark of respect for the memory of the deceased.

And the question being taken on agreeing to the said resolutions, it was unanimously determined in the affirmative.

Ordered that the Clerk acquaint the Senate therewith.

Whereupon, Messrs. McLean, Dunlap, Inge, and Alexander E. Smith, were appointed a committee of arrangements, in pursuance of the third resolution. And Messrs. Watkins, Claiborne, Gillespie, Rogers, Carriger, and Hardin, were appointed pall bearers, in pursuance of said resolution.

A message from the Senate, by Mr. Hill their Clerk.

Mr. Speaker—I am directed to inform this House that the Senate will join the House of Representatives on the occasion of the funeral of the Hon. John Tipton deceased, late a member of this house.

And then he withdrew—when,

Mr. McLean, from the committee of arrangements appointed to superintend the funeral of the Hon. John Tipton, made the following report, which was read and concurred in by the House as follows, to wit:

The order of proceeding in the funeral of the Hon. John Tipton shall be as follows, to wit:

That the two houses assemble in the Representative's hall at half after 2 o'clock P. M. and that the committee of arrangements and pall bearers proceed to the Nashville Inn, and conduct

↓ HOUSE.

the body from thence to the hall of the House of Representatives, where prayers will be said over it by the Rev. Robert Hardin—after which, the order of procession shall be,

The body of the deceased.

Relations and attending physician.

Clergy.

Speakers of the two Houses.

Officers of the two Houses.

Members of the House of Representatives, 2 abreast.

Members of the Senate 2 abreast.

Governor and Secretary of State and staff.

Treasurers.

Mayor and Aldermen of Nashville and officers.

President and trustees of the University.

Judiciary.

Citizens.

Ordered, That the Clerk acquaint the Senate therewith.
And then the House adjourned.



MONDAY, OCTOBER 10, 1831.

Mr. Easley presented the return of the county court Clerk of captains' companies and Justices of the Peace in Grainger county.

Ordered, That said return be referred to the committee of captains' companies and justices of the peace.

Mr. Rogers presented a petition of James Baker and Fanny Stanley, and a petition of Razor Ferrill.

Ordered, That said petitions be referred to the committee of propositions and grievances.

Mr. Alexander E. Smith presented a petition of Wm. Reynolds Peter I. Davis and Stephen Huff, and sundry inhabitants of Cocke county, praying an amendment to the charter, granting them a turnpike road on the north side of French Broad river—and a petition of John J. Howel, Wm. P. Sharp and George W. Allen, praying the passage of an act granting them a charter for a turnpike road on the South side of French Broad river.

Ordered, That said petitions be referred to the committee on Internal Improvement.

Mr. Roberson presented the county court Clerk's return of Marion county.

Ordered, That said return be referred to the committee of Finance and captains' companies and justices of the peace.

Mr. Allen presented a petition of the inhabitants of the town of Liberty, in Smith county, praying an act of incorporation.

Ordered, That the said petition lie on the table.

Mr. McLean presented a petition of Isaac West and sundry inhabitants of Henderson and Perry counties, praying that 5,000 acres of land may be set apart for the use of iron works.

Ordered, That said petition be referred to the committee on the Western District Lands.

Mr. Joel R. Smith presented a petition of Wm. Moore, praying the passage of an act authorizing him to build a mill in Gibson county—and, a petition of Thomas Fite, praying for the issuance of a grant for $5\frac{1}{2}$ acres of land

Ordered, That the first of said petitions be referred to the committee of propositions and grievances—and the last of said petitions to the committee on land claims.

Mr. McGaughey, from the committee of propositions and grievances, made an unfavorable report upon the petition of E. C. Jones.

Ordered, That said report lie on the table.

Mr. Dunlap, from the committee on internal improvement, made a report accompanied with a bill to vest the boards of Internal Improvement with the power to receive and apply the money set apart for Internal Improvement, by the act of 1829.

Which bill was read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Stockton.

Ordered, That Messrs. Hurst, Dunlap and Vernon, be added to the committee on Indian reservations.

Mr. Claiborne introduced a bill to regulate ordinary or tavern license, and for other purposes.

Which bill was read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill giving further time for surveying entries and obtaining grants thereon—and a bill to repeal the 4th section of an act entitled an act for the benefit of the Bean's station turnpike road,

Were severally read a third time, and last time passed and ordered to be engrossed.

A bill to authorize Jeremiah Johnson to build a mill dam on French Broad river, was read the third time and passed. And

A bill from the Senate to amend and explain the law concerning elections, was read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate, by Mr. Hill, their Clerk.

Mr. Speaker—The Senate concur in the resolution of this house, appointing justices of the peace for Wilson county. The Speaker of the Senate did this day sign an enrolled bill, entitled 'an act concerning the distribution of Haywood & Cobb's Revisional.

And then he withdrew.

When, the Speaker signed the said act—and

Ordered, that the same be deposited in the Office of the Secretary of State.

The house took up the bill to reduce the fees on marriage license.

Mr. Vernon made a motion to reconsider the vote of this house of the 8th inst. adopting the amendment proposed by Mr. Cheatham, in lieu of the first section of the bill.

And the question being taken thereon, it was determined in the affirmative.

YEAS 21

NAYS 14

The yeas and nays being demanded by the constitutional number of members.

Those who voted in the affirmative are, Messrs. Speaker Huling, Carriger, Claiborne, Dew, Dunlap, Easley, Gillespie, Hardin, Hurst, Kincaid, Maury McFarland, McGaughey, McLean, Parris, Rogers, Alex. E. Smith, Joel R. Smith, Stockton, Vernon, and Wright.

Those who voted in the negative are, Messrs. Allen, Boddie, Cheatham, Dickinson, Dobbins James Gray, Geo. Gray, Holland, Inge, Nevins, Roberson, Turney, Watkins and Young.

And so, the house agreed to reconsider the said vote.

Ordered That said bill lie on the table.

Mr. McLean introduced a bill to amend an act entitled an act to extend the corporation of Brownsville, and for other purposes. Mr. Dunlap introduced a bill to create a fund in each county for Common Schools—and Mr. Parris introduced a bill for the benefit of the people living on Cumberland mountain in Warren county.

Which bills were severally read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill for the benefit of the heirs and creditors of James Peak deceased—a bill for the benefit of the Register of Maury county—a bill for the relief of the Surveyor General of the 13th district—and a bill for the benefit of William McCoy,

Were severally read a second time and passed

Ordered, That the Clerk acquaint the Senate therewith.

A bill "from the Senate" to facilitate the despatch of public business in the Legislature of this State, was read the first time and rejected.

A bill "from the Senate" to amend an act entitled an act, to establish a board of Internal Improvement, and set apart \$150,000 to be appropriated to the improvement of the navigable rivers and other objects of Internal Improvement in this State.

Was read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. McGaughey introduced a bill to divorce **Martin Fry** from his wife **Letitia**.

Ordered, that said bill be referred to the committee on **Divorces**.

The house took up a bill to pay justices of the peace for their services in certain cases—when,

The said bill was amended on motion of **Mr. Gray**.

And further amendments being proposed thereto by **Mr. Claiborne** and **Mr. Dobbins**,

Ordered, That the said bill and amendments be severally referred to the committee on the judiciary.

The House took up a bill for the benefit of **James C. Davidson**.

On motion of **Mr. Vernon**,

Ordered, That said (bill) be referred to the committee of propositions and grievances.

A bill to enclose the milk sick hills in White county, was read a second time, amended on motion of **Mr. Turney**, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of **Mr. Easley**,

Ordered, That the bill for the benefit of **John Muse**, be referred to the committee of propositions and grievances.

On motion of **Mr. McLean**,

Resolved, That the Senate meet this House, at 10 o'clock A. M. on Thursday next, for the purpose of electing a Solicitor General for the 16th district—and

On motion of **Mr. Vernon**,

Resolved, That the Senate meet this House at 10 o'clock A. M. on Thursday next, for the purpose of electing Solicitors for the 9th and 11th districts.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence in said resolutions.

On motion of **Mr. Dew**,

Resolved, That the committee on military affairs be instructed to enquire into the expediency of establishing an additional regiment in the county of **Wilson**—and that said committee enquire into the expediency of authorizing five commissioners to divide the said county of **Wilson** into four equal regiments.

Mr. Boddie introduced the following Resolutions, to wit:

Resolve 1, By the General Assembly of the State of **Tennessee**, that a joint select committee of both houses be appointed to divide this State into Congressional districts, each district to contain as nearly as may be — thousand inhabitants, including three fifths of all slaves, agreeably to the United States' Census of 1830.

Resolved, That said committee divide this State into the Constitutional number of Electoral districts, to elect Electors of President and Vice President of the United States.

J2 HOUSE.

Ordered. That said resolution lie on the table.

On motion of Mr. Dobbins,

Resolved, That a select committee be appointed to examine and report what allowance should be made to Frederic S. Heiskell, for extra printing and binding on Haywood & Cobb's Revision, under a resolution of the General Assembly of 1829-30.

And Mr. Dobbins, Mr. Maury, Mr. Dunlap, Mr. Gordon, and Mr. McLean were appointed a committee in pursuance of said Resolution.

Mr. Young introduced the following Resolution, to wit:

Resolve, That the Senate meet this House on Thursday next, for the purpose of filling all vacancies in the Solicitorial districts of this State.

Ordered. That said resolution lie on the table.

And then the House adjourned.

TUESDAY, OCTOBER 11, 1831.

The Speaker laid before the House sundry petitions for the appointment of Justices of the peace for Montgomery county.

Ordered, That said petitions be referred to the committee on Captains' companies and Justices of the peace.

Mr. Easley presented a petition of Joseph Cobb of Grainger county.

Ordered, That said petition be referred to the committee on the Western District lands.

Mr. Rogers presented a petition of sundry citizens of Campbell county.

Ordered, That said petition be referred to the committee on Internal Improvement.

Mr. Stockton presented a petition of Henry Liggett, praying the passage of an act authorizing him to sell Groceries by paying a reasonable sum for license.

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. Kincaid presented a letter of instruction from sundry citizens of Bedford county to the Senator and Representative of said county, in the General Assembly to vote for a resolution instructing our Senators and requesting our representatives in Congress to vote in favor of rechartering the Bank of the United States, upon certain restrictions and limitations.

Ordered, that said letter lie on the table.

Mr. Claiborne presented a petition of sundry citizens of Nashville and Davidson county, praying the erection of a new bridge over the Cumberland river near the mouth of Broad street in

Nashville. And a petition of sundry citizens of the town of Nashville, praying the passage of an act authorizing a lottery to raise a sum of money to open a street in said town.

Ordered, that the first of said petitions lie on the table, and that the last of said petitions be referred to the committee on the Judiciary.

Mr McLean presented a petition of William B. Lafton, praying the issuance of a land Warrant for 31 acres of land.

Ordered, That said petition be referred to the committee on land claims.

Mr. McGaughey from the committee of Propositions and grievances, reported the bill for the relief of Joel L. Stone and others, with an amendment, which was read and agreed to by the House.

Whereupon the said bill was read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. McGaughey from the same committee made a report upon the petition of James Grayham, and the petition of sundry citizens of Maury county, respecting elections, and the resolution therein contained, was concurred in by the House as follows, to wit:

Resolved, that the prayer of the petitioners respectively ought not to be granted.

Mr. Carriger from the committee for enrolled bills, reported an act giving further time for surveying entries and obtaining grants thereon, an act to repeal the 4th section of an act entitled 'an act to amend an act for the benefit of the Bean's Station Turnpike road,' and a resolution appointing Justices of the peace for Wilson conty, truly enrolled.

The Speaker signed the said acts and resolution.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker:—I am directed to deliver to this House a communication in writing from the Governor of the State.

And then he withdrew.

When the said communication was read at the Clerk's table, and is as follows:

Fellow Citizens of the Senate,

and of the House of Representatives:

By a resolution of the General Assembly at the last session, the printers of Haywood & Cobb's Digest were directed to have certain extra printing performed, but no authority as I conceive, exists to pay for this extra printing. As the work has been executed, the propriety of making provision for its payment is submitted to your consideration.

WM. CARROLL

EXECUTIVE OFFICE, }
Nashville, Oct. 8, 1831. }

Ordered, That said communication lie on the table.

A bill to vest the boards of Internal Improvement with the power to receive and apply the money set apart for Internal improvement, by the General Assembly of this state in 1829, was read a second time.

And on the question 'shall the bill pass,' it was determined in the affirmative.

YEAS 21
NAYS 8

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative are, Mr. Carriger, Claiborne, Dickinson, Dobbins, Dunlap, Easley, Gillespie, George Gray, Holland, Hurst, Inge, Maury, McFarland, McGaughey, Roberson, Rogers, Alex. E. Smith, Joel R. Smith, Stockton and Vernon.

Those who voted in the negative are, Mr. Speaker Huling, Allen, Boddie, Cheatham, Gordon, McLean, Parris, and Watkins.

Ordered, That the Clerk acquaint the Senate therewith.

A bill from the Senate to amend an act entitled, 'an act for the relief of Executors and Administrators, was read the first time and passed.

Ordered, That the Clerk acquaint the Sena'e therewith.

The House resolved itself into a committee of the whole, on the Judiciary system of this State, and after some time spent therein the Speaker resumed the chair, and Mr. Cheatham reported. that the committee of the whole had according to order, had the Judiciary system under consideration, and had [not] as yet come to any Resolution thereon, and had directed him to ask leave to sit again.

Ordered, that the committee of the whole have leave to sit again on tomorrow.

And then the House adjourned.

WEDNESDAY, OCTOBER 12, 1831.

Mr. Allen presented a petition of Philip P. Bush, praying the passage of an act authorizing him to hawk and peddle without license.

Ordered, That said petition be referred to the committee on propositions and grievances.

Mr. Dickinson presented the return of the county court Clerk of Rutherford county, of tax lists and Captains' companies and Justices of the peace.

Ordered, That said returns be referred to the committee of Finance and Captains' companies and Justices of the peace.

Mr. Nevins from the committee of Captains' companies and Justices of the peace, reported resolutions appointing Justices of the peace for the counties of Montgomery, Lincoln, and Henry.

And the question being taken, on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. McGaughey from the committee of Propositions and grievances reported a bill for the benefit of Jesseavage.

Which bill was read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Brown from the committee on the Judiciary, reported the bill to amend an act entitled an act to amend the penal laws of the State of Tennessee, with amendments, which were read and agreed to by the House.

When the said bill was further amended on motion of **Mr. Claiborne**, and read a second time. Whereupon **Mr. Cheatham** rose and stated that the bill in its provisions would, if passed into a law, operate upon a case now pending in Court, in which he was the prosecutor, and that therefore, he moved to be excused from voting on the several readings of the bill in this House.

And the question being taken thereon, it was determined in the affirmative.

And so, **Mr. Cheatham** was excused from voting at any time, upon the said bill.

Whereupon, on the question 'shall the bill pass,' it was determined in the affirmative.

YEAS 27

NAYS 10

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are,

Mr. Speaker Huling, Allen, Boddie, Brown, Carriger, Claiborne, Dickinson, Dobbins, Dunlap, Easley, Gordon, Gowen, James Gray, Geo. Gray, Hardin, Hurst, Inge, Kincaid, McLean, Nevins, Rogers, Joel R. Smith, Stockton, Vernon, Watkins, Wright and Young.

Those who voted in the negative, are,

Mr. Dew, Gillespy, Holland, Maury, McFarland, McGaughey, Parris, Roberson, Alex. E. Smith, and Turney.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Brown, from the same committee, reported a bill to authorize a lottery for the continuation of Union street in the city of Nashville. A bill further to define and extend the jurisdiction of justices of the peace—and a bill to amend an act entitled an act for the relief of persons dying intestate.

Which bills were severally read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Brown, from the same committee, reported the bills to declare in force all the acts of the States of North Carolina and Tennessee, contained in Haywood and Cobb's, digest—and the bill to pay justices in certain cases, without amendment, and recommended to the House the rejection of said bills.

Ordered, That said bills lie on the table.

A message from the Senate by **Mr. Hill** their Clerk.

Mr. Speaker—The Senate concur in the resolution of this house providing for the election of Solicitors for the 9th, 11th and 16th districts, on Thursday, the 13th inst. at 10 o'clock A. M.

And then he withdrew.

Mr. M. Lean returned the bill to authorize a separate battalion in the county of Haywood with an amendment.

On motion of **Mr. Dunlap**.

Ordered, That said bill and amendment lie on the table.

A bill to authorize the Sheriff of Lincoln county to appoint three deputies, was read a second time, amended on motion of **Mr. Vernon**, and passed.

Ordered That the Clerk acquaint the Senate therewith.

On motion of **Mr. Gordon**.

Resolved, that the Senate meet this house on Tuesday the first day of November, for the purpose of electing a Solicitor General for the 12th district.

Ordered, That the Clerk acquaint the Senate therewith and ask their concurrence therein.

Mr. McLean introduced a bill prescribing the mode of proving deeds executed out of this State, when the bargainer and witnesses are dead.

Which bill was read a first time, amended on motion of **Mr. Turney** and passed.

A bill to compensate Justices of the peace for certain services, was read a first time, amended on motion of **Mr. Nevins** and passed.

Mr. Easley introduced a bill to keep in repair the ford road in Hawkins and Sullivan counties.

Which bill was read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Dobbins, from the select committee to which was referred the claim of **Frederic S. Heiskell**, for extra printing done on Haywood & Cobb's digest, reported a bill to compensate **Frederic S. Heiskell** for extra printing and binding done on Haywood & Cobb's digest.

Which bill was read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Carriger introduced a bill to provide for taking the enumeration of the free male inhabitants of this State. Which bill was read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Dew returned the bill to amend the militia laws of this State, with an amendment.

Ordered, That said bill and amendment lie on the table until Monday next.

The house resolved itself into a committee of the whole on the judiciary system of this State, and after some time spent therein, the speaker resumed the chair, and Mr. Cheatham reported, that the committee of the whole, had according to order, had the judiciary system under consideration, and had not as yet come to any resolution thereon—and had directed him to ask leave to sit again.

Ordered, That the committee of the whole have leave to sit again on tomorrow. And then the house adjourned.

THURSDAY, OCTOBER 13, 1831

Mr. McGaughey presented a petition of Alfred Mims, praying the passage of an act altering the line so as to make [him] a citizen of Greene county.

Ordered, that said petition be referred to the committee on new counties and county lines.

Mr. Wright presented a petition of Eli Cleveland and others, purchasers of land at the Hiwassee land sales, praying relief from a suit commenced by James McIntosh, an Indian reservee.

Ordered, That said petition be referred to the committee on Indian Reservations.

Mr. Vernon presented a petition of John McClanahan, praying a preference on a tract of land improved by him on a contract made with Governor McMinn.

Ordered, That said petition be referred to the committee on the Hiwassee lands.

Mr. Maury presented papers and documents of W. L. Webb, shewing the loss of land by interference, and praying a duplicate warrant therefor.

Ordered, That said papers and documents be referred to the committee on land claims.

Mr. Dobbins presented a petition of William Pillow, praying the issuance of a duplicate warrant for 55 acres of land.

Ordered, that said petition be referred to the committee on land claims.

Mr. Cheatham presented a petition of sundry Officers of the 33d Regiment in Robertson county, praying a change in the time of holding Regimental drill musters.

Ordered, That said petition be referred to the committee of military affairs.

Mr. Nevins, from the committee of Captains' companies and Justices of the peace, reported a resolution appointing Justices of the peace for Franklin county.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith and ask their concurrence therein.

Mr. McGaughey introduced a bill to amend an act entitled an act to extend the Turnpike road granted to William Reynolds, and **Mr. George Gray** introduced a bill for the relief of the creditors of Anthony Gilliam, deceased. Which bills were severally read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate, by **Mr. Hill**, their Clerk.

Mr. Speaker.—The Senate concur in your resolution appointing Justices of the peace for the counties of Henry, Lincoln and Montgomery, and also in your resolution to elect a Solicitor for the 12th district on Tuesday the 1st day of November next.

And then he withdrew.

The two houses assembled in the Hall of this House for the purpose of electing Solicitors for the 11th, 16th, and 9th districts.

And on collecting and counting out the ballots a third time it appeared that Samuel Frazier, Esq. of Rhea county was duly elected Solicitor for the 11th district. On collecting and counting out the ballots a third time it appeared that Joel H. Dyer, Esq. of Gibson county was duly elected Solicitor for the 16th district. And on collecting and counting out the ballots a fifth time it appeared that Edmund Dillahunt, Esq. of Maury county, was duly elected Solicitor of the 9th district.

Whereupon the Speaker and members of the Senate withdrew.

Mr. Hurst returned a Bill to amend the stray laws, with an amendment, which was read.

On motion of **Mr. Gray**,

Ordered, That said bill and amendment lie on the table.

A message from the Senate by **Mr. Hill** their Clerk.

Mr. Speaker.—The Senate concur in the resolution of this House, making the committees of the two houses on Indian reservations a joint committee. The Senate have adopted a resolution appointing Frederic W. Huling a Justice of the peace for Montgomery county, and a resolution providing for the election of a Solicitor General for the 5th district on Tuesday the 18th inst; in which resolutions they ask the concurrence of this house.

And then he withdrew.

Whereupon the question was taken on concurring with the resolutions of the Senate, and determined in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith.

The House resolved itself into a committee of the whole on the

judiciary system of this State, and after some time spent therein, the Speaker resumed the chair, and Mr. Cheatham reported that the committee of the whole had according to order had the judiciary system under consideration; and had come to no resolution thereon and had directed him to ask leave to sit again.

And on the question "shall the committee of the whole have leave to sit again" it was determined in the negative.

On motion of Mr. McGaughey,

Ordered, That the committee of the whole be discharged from the further consideration of the resolution of instruction to the committee on the judiciary, introduced by Mr. Allen on the 26th ult.

Whereupon, Mr. Brown introduced the following resolutions, to wit.

Resolved, That it is expedient to make the following amendments in the judiciary system of this State, and that the committee on the judiciary be instructed to report a bill accordingly.

1. That there shall be elected at the present session a chief justice of the Supreme Court, who with the three associate judges, shall hold said court at three places only, to wit, at Knoxville, Nashville and Jackson.

2 That the Chancery courts be abolished, and the causes, pending therein be transferred to their proper circuit courts respectively.

3. That the circuit courts hold three terms in each and every year, and have their present jurisdiction, together with that which is hereinafter transferred to them.

4. That all jury causes be transferred from the county to the circuit courts, except actions of debt and assumpsit, founded upon bills, bonds, promissory notes and liquidated accounts signed by the party to be charged therewith—such actions to be commenced as at present, and to be tried by the justices holding the county courts, without a jury and without any declaration, or other pleading in writing—All such causes to be tried the first term, with a reasonable stay of execution, unless good cause for a continuance be shown by affidavit. Either party dissatisfied and desiring a jury trial, to have the right of appeal to the circuit court.

Ordered, That said resolution lie on the table until tomorrow.

Mr. Young introduced a bill to amend an act entitled an act to dispose of certain lands in Hawkins county—commonly called Sims' big survey.

Mr. Turney introduced a bill to improve the present circuit court system of this State.

Which bills were read the first time and passed.

A bill from the Senate to authorize the Treasurer of East Tennessee to pay certain monies, was read the first time and passed.

K HOUSE.

A bill to authorize the appointment of a jury to attend the next county court of Jackson.

Was read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Dunlap,

Ordered, That the bill for the benefit of the register of East Tennessee be referred to the committee of claims.

A bill to compensate James A. Whiteside, for superintending the printing and publication of Haywood & Cobb's revisal, was read a third and last time,

And on the question "shall the bill pass and be engrossed," it was determined in the affirmative.

YEAS 31

NAYS 4

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are, Messrs. Speaker Huling, Allen, Boddie, Brown, Carriger, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Dunlap, Gillespie, Gordon, James Gray, Geo. Gray, Holland, Inge, Kincaid, Maury, McFarland, McGaughey, McLean, Nevins, Roberson, Rogers, Alexander E. Smith, Joel R. Smith, Stockton, Vernon, Watkins and Young.

Those who voted in the negative, are, Messrs. Hardin, Hurst, Parris and Turney.

Ordered, That Mr. Watkins have leave to withdraw for amendment, the bill requiring the entry taker of Bedford county to record certain entries.

And then the House adjourned.

FRIDAY, OCTOBER 14, 1831.

Mr. Easley presented petitions of Campbell Huddleston and Alfred S. Combs, severally praying the passage of acts authorizing them to hawk and peddle without license—and a petition of Isaac Miller, praying that no law may be passed, directing the removal of the fish traps in Clinch river.

Ordered, That the first and second of said petitions be referred to the committee of propositions and grievances—and the last of said petitions to the committee on internal improvements.

Mr. Dunlap presented the memorial of the Abingdon rail road convention. Mr. Roberson presented a petition of David S. Shelton, praying the passage of an act authorizing him to build a mill dam on Sequatchee river—and Mr. Turney presented a petition of sundry citizens of Fentress county, praying an appropriation of \$500 to the improvement of Obed's river.

Ordered, That said petitions be severally referred to the committee on internal improvement.

Mr. Turney also presented a petition of sundry citizens of White county, praying the appointment of commissioners on Hale's turn-pike road.

Ordered, That said petition lie on the table.

Mr. Dew presented a petition of James Drennen, praying the passage of an act to relieve him from the payment of a judgment recovered in Wilson county court for an alledged breach of the revenue laws.

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. Maury presented a petition of sundry inhabitants of Williamson county, praying the appointment of a justice of the peace for said county.

Ordered, That said petition be referred to the committee of Captain's companies and justices of the peace.

Mr. Inge presented a petition for the benefit of Joseph Wallace.

And Mr. Kincaid presented an affidavit of F. P. Crockett, in the case of A. H. White and P. Chilcutt.

Ordered, That said petition and affidavit be severally referred to the committee of Propositions and grievances.

Mr. Brown presented the county court Clerk's return of tax lists and Captains' companies and Justices of the peace.

Ordered, That said returns be referred to the committee of Finance and Captains companies and Justices of the Peace.

Mr. Dobbins presented a petition of Gideon J. Pillow.

Ordered, That said petition be referred to the committee of Claims.

Mr. Cheatham presented a petition of sundry citizens of Robertson county, praying the passage of an act authorizing the erection of a new bridge across Cumberland river above Broad street in the town of Nashville.

Ordered, That said petition lie on the table.

Mr. McLean presented a petition of Hannah Stone, praying to be divorced from her husband Thomas Stone. Also petitions from sundry citizens of Madison county, and petitions from sundry citizens of Haywood county, praying severally for the appointment of Justices of the peace. And a petition of sundry citizens of Haywood county, praying the establishment of a Regiment south of Hatchie river.

Ordered, That the first of said petitions be referred to the committee on Divorces—the second and third of said petitions to the committee of Captains' companies and Justices of the peace; and the last of said petitions to the committee on military affairs.

Mr. Joel R. Smith presented a petition of sundry citizens of

Carroll county, praying that Thomas Butler may be allowed the privilege of retailing spirituous liquors without license.

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. McGaughey from the committee of Propositions and grievances reported a bill for the benefit of Henry Liggett, and a bill to repeal an act entitled an act for the benefit of Jotham Brown of Greene county.

Which bills were severally read a first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Brown from the committee on the Judiciary, made a report upon the petition of the heirs and legal representatives of Mason Lee, deceased.

And the resolution therein contained was concurred in by the House as follows. to wit:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Brown from the same committee reported the following resolution upon the petition of the illegitimate children of Mason Lee, dec'd. to wit:

Resolved, That the prayer of the petitioners ought not to be granted.

And the question being taken on agreeing thereto, it was determined in the affirmative.

YEAS 31

NAYS 6

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, Messrs. Speaker Huling, Boddie Brown, Carriger, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Easley, Gordon, James Gray, Geo. Gray, Hardin, Holland, Hurst, Inge, Maury, McFarland, McGaughey, McLean, Nevins, Parris, Roberson, Rogers, Alex. E. Smith, Stockton, Turney, Vernon, Watkins, and Young.

Those who voted in the negative are, Messrs. Allen, Dunlap, Gillespie, Gowen, Kincaid, and Joel R. Smith.

And so the report of the committee was concurred in.

Mr. Carriger from the committee for enrolled bills reported a Resolution appointing Justices of the peace for Lincoln, Henry, and Montgomery counties. And an act to compensate James A. Whiteside for superintending the printing and publication of Haywood & Cobb's Revisal, truly enrolled.

The Speaker signed the said resolution and act.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Turney introduced a bill to appoint commissioners upon Hail's Turnpike road, and a bill to improve the navigation of Obed's river.

Which bills were severally read a first time and passed.

Ordered that the Clerk acquaint the Senate therewith.

A message from the Senate; by Mr. Hill, their Clerk.

Mr. Speaker.

The Senate have adopted a resolution directory to the President and Directors of the Bank of the State of Tennessee; a resolution appointing a select committee on Banks—and a resolution authorizing the President and Directors of the State Bank to do and perform certain things therein named; in which they ask the concurrence of this House.

And then he withdrew.

When the first of said resolutions was concurred in by the House, and the second of said resolutions was nonconcurrent in.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Claiborne,

Ordered, That the third resolution contained in said message lie on the table.

Mr. Claiborne introduced the following joint resolution, to wit:

Resolved, By the General Assembly of the State of Tennessee, that the Governor be requested to take the necessary steps to procure an immediate settlement of the claim of this State, as provided by the Will of Mason Lee, deceased, late of South Carolina.

And the question being taken, on agreeing thereto, it was determined in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith and ask their concurrence therein.

The following bills from the Senate were severally read the first time and passed, to wit:

A bill creating a board of commissioners for the settlement of reservation claims in the Hiwassee district. A bill to authorize the county court of Tipton to appropriate certain monies. A bill for the benefit of the widow and heirs of James Blair, deceased. A bill for the benefit of Hugh McIntyre. A bill to establish a 3d battallion in the 82d Regiment. And a bill for the benefit of Robert Cowan.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Carriger introduced a bill to compensate jurors in the county of Sullivan.

And Mr. Dunlap introduced a bill appointing a commissioner to receive Justices papers in Knox county.

Which bills were severally read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill to incorporate the town of Lagrange. A bill to authorize the appointment of a Jury to attend the next county court of Jackson county. And a bill to establish the Montgomery Rangers, were severally read a third time and passed.

K2 HOUSE.

Ordered, That the Clerk acquaint the Senate therewith.

A bill to repeal so much of the act of 1829, as exempts paper-makers and their hands from working on public roads, was read a third time and last time, passed and ordered to be engrossed.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker:—I am directed to deliver to this House a report from the commissioners of Common Schools in Knox county.

And then he withdrew.

When the said report was read at the Clerk's table, and on motion of Mr. Dunlap referred to the committee on education.

On motion of Mr. Hurst,

Ordered, That the bill for the benefit of James Scarborough, be referred to the committee of claims.

On motion of Mr. Dunlap,

Ordered, That the bill to incorporate a board of Internal Improvement East of Cumberland mountain, be referred to the committee on Internal Improvement.

A bill to alter the time of holding the county courts of Dyer and Obion counties. A bill to extend the limits of the town of Jackson. And a bill to incorporate the town of Denmark, were severally read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill to release Stephen Johnson of Haywood county, from the payment of certain monies, was read a second time; and on the question shall the bill pass, it was determined in the negative.

YEAS—18

NAYS—19

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative, are Mr. Speaker Huling, Carriger, Cheatham, Claiborne, Dickinson, Dunlap, Gillespie, Gordon, Hardin, Holland, Kincaid, Maury, McLean, Rogers, Joel R. Smith, Turney, Wright and Young.

Those who voted in the negative, are Mr. Allen, Boddie, Brown, Dew, Easley, Gowen, Geo. Gray, James Gray, Hatley, Hurst, Inge, McFarland, McGaughey, Parris, Roberson, Alex. E. Smith, Stockton, Vernon, and Watkins.

And so the said bill was rejected.

On motion of Mr. Dew,

The House took up the resolution introduced by Mr. Allen on the 26th ultimo containing certain instructions to the committee on the Judiciary. containing amongst other instructions, the following, to wit:

“That all laws and parts of laws, establishing a circuit, chancery, and Supreme court of Errors and Appeals in this State be repealed.”

Mr. Inge upon the foregoing clause in the said resolution of

instruction, demanded a division of the question, and the said question being susceptible of division, and the question being taken on dividing the same, it was determined in the affirmative.

YEAS—22

NAYS—15

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are Mr. Boddie, Brown, Carriger, Dickinson, Dunlap, Easley, Gordon, Geo. Gray, James Gray, Hatley, Hardin, Holland, Hurst, Inge, Kincaid, Maury, McFarland, Rogers, Alex E. Smith, Joel R. Smith, Wright and Young.

Those who voted in the negative are, Mr. Speaker Huling, Allen, Cheatham, Claiborne, Dew, Gillespy, Gowen, McGaughey, McLean, Parris, Roberson, Stockton, Turney, Vernon, and Watkins.

Whereupon the question was further put in the words following:

"Shall the circuit court system be repealed," and it was determined in the negative.

YEAS—14

NAYS—25

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, Mr. Speaker Huling, Allen, Carriger, Cheatham, Claiborne, Dew, Gillespy, Gordon, Gowen, Nevins, Parris, Roberson, Turney, and Watkins.

Those who voted in the negative are Mr. Boddie, Brown, Dickinson, Dobbins, Dunlap, Easley, James Gray, Geo. Gray, Hatley, Hardin, Holland, Hurst, Inge, Kincaid, Maury, McFarland, McGaughey, McLean, Nevins, Rogers, Alex. E. Smith, Joel R. Smith, Stockton, Vernon, Wright and Young

Whereupon, the question was further put in the words following:

"Shall the Chancery court system be repealed," and, it was determined in the affirmative.

YEAS 25

NAYS 12

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, Mr. Boddie, Brown, Carriger, Cheatham, Dew, Dickinson, Easley, Gowen, James Gray, Geo. Gray, Hatley, Hardin, Hurst, Inge, Kincaid, McFarland, Nevins, Parris, Roberson, Rogers, Alex. E. Smith, Joel R. Smith, Stockton, Vernon, Watkins, and Wright.

Those who voted in the negative are, Mr. Speaker Huling, Allen, Claiborne, Dobbins, Dunlap, Gillespie, Gordon, Holland, Maury, McGaughey, McLean, Nevins Turney and Young.

Whereupon, the question was further put in the words following:
 "Shall the Supreme court system be repealed?"

And it was determined in the negative.

YEAS 18

NAYS 21

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, *Messrs.* Speaker Huling, Allen, Carriger, Cheatham, Claiborne, Dew, Gillespie Gordon, Gowen, McLean Nevins, Parris, Roberson, Joel R. Smith, Stockton, Turney Vernon and Watkins.

Those who voted in the negative are, *Messrs.* Boddie, Brown, Dickinson, Dobbins, Dunlap, Easley, James Gray, George Gray, Hatley Hardin, Holland, Hurst, Inge, Kincaid, Maury, McFarland, McGaughey, Rogers, Alex. E. Smith, Wright and Young.

And so, the House agreed to the proposition, to instruct the committee to report a bill to repeal the chancery court system, and disagreed to the proposition to instruct the committee to report a bill to repeal the circuit courts and Supreme court.

When debate arising upon the remainder of said resolution, the House adjourned.

SATURDAY, OCTOBER 15, 1831.

Mr. Rogers presented a petition of Johnson Freeman, praying a divorce from his wife Jane.

Ordered, That said petition be referred to the committee on divorces.

Mr. Dunlap presented a petition of William Harrelson, praying the passage of an act authorizing him to retail spirits without license—also a petition of the officers of the 10th regiment, praying that drill musters may be held on the day preceding the company musters in the fall—and a petition of Patrick Carey, praying compensation for advertising certain lands for sale for State tax.

Ordered, That the first of said petitions be referred to the committee of propositions and grievances. The second of said petitions to the committee on military affairs—and the last of said petitions to the committee of claims.

Mr. Stockton presented a petition of sundry citizens of Roane county praying the passage of an act to prevent poisoning fish in creeks and rivers.

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. Gillespie presented a petition of Thomas Tipton, praying

that monies expended by him in defending a suit against George an Indian reservee, may be refunded.

Ordered, that said petition be referred to the committee on claims.

Mr. Roberson presented the returns of the Clerk of Bledsoe county court.

Ordered, That said returns be referred to the committee of Finance and Captains' companies and justices of the peace.

Mr. Cheatham presented a petition of sundry citizens of Roberson county, praying an amendment to the act of 1825, giving to the Clerks of the county courts 62½ cents for recording accounts current rendered by guardians.

Ordered, That said petition be referred to the committee on the judiciary.

Mr. McLean presented petitions of sundry citizens of Haywood county, praying the appointment of justices of the peace in said county.

Ordered, That said petition be referred to the committee of captains' companies and justices of the peace.

Mr. Nevins, from the committee of captains' companies and justices of the peace, reported a resolution appointing justices of the peace for the counties of Bedford and Warren.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. McGaughey, from the committee of propositions and grievances, made a report upon the petition of the citizens of Carroll county, in behalf of Thomas Butler.

And the resolution therein contained was concurred in by the House as follows, to wit:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. McGaughey from the same committee, reported a bill for the relief of Peter Chilcut and Augustus H. White.

Which bill was read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Watkins, from the committee of claims, made a report upon the petition of Cideon J. Pillow—and the resolution therein contained was concurred in by the House as follows, to wit;

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Carriger from the committee for enrolled bills, reported an act to repeal so much of the act of 1829, in relation to public roads, as exempts paper manufacturers and their hands from working thereon—truly enrolled.

The Speaker signed the said act—

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Gordon, from the committee on land claims, reported a bill for the relief of the heirs of James Taylor, Sen. deceased, late of South Carolina.

Which bill was read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. McGaughey introduced a bill to establish a town in the county of Green—and, Mr. Rogers introduced a bill for the benefit of John Sharpe.

Which bills were severally read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill for the benefit of the register of Maury county, was read the third time, and last time passed, and

Ordered, to be engrossed.

A bill to reduce the fees on marriage license, was read the second time and passed.

A bill requiring the entry taker of Bedford county to record certain entries, was read a second time, amended on motion of Mr. Watkins, and further amended on motion of Mr. Kincaid, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill from the Senate to amend the judiciary system of the State of Tennessee, was read at the Clerk's table—

When debate arising on the provisions of the bill, and sundry committees of this House being desirous to sit during this evening,

The House adjourned.



MONDAY, OCTOBER 17, 1831.

Mr. McGaughey presented a memorial of 80 citizens of Greene county, praying that our Senators in Congress may be instructed and our Representatives requested, to vote against rechartering the Bank of the United States.

Ordered, that said memorial be referred to the select committee, to which is referred the memorial of sundry citizens of Greene county, heretofore presented on the same subject.

Mr. Roberson presented petitions of Nancy Close and Margaret Watson, severally praying divorces from their husbands.

Ordered, that said petitions be referred to the committee on divorcees.

Mr. Maury presented a petition of sundry citizens of Williamson county, and elsewhere, praying the passage of an act incorporating a company to establish a rail road from Nashville to Franklin.

Ordered That said petition lie on the table.

Mr. Inge presented a petition of **E. C. McLaughlin**, praying certain things therein named.

Ordered. That said petition be referred to the committee on School Lands.

Mr. McLean presented a petition of sundry citizens of Henderson county, praying a preference to a track of land for a school house.

Ordered. That said petition be referred to the committee on the Western District lands.

Mr. James Gray presented the returns of the county and circuit court Clerks of Perry county.

Ordered. that said returns be referred to the committee of Finance and Captains' companies and Justices of the peace.

Mr. Joel R. Smith presented a petition of sundry citizens of Gibson county, praying a repeal of so much of the act of 1829, as relates to **William Moore**.

Ordered. That said petition be referred to the committee of propositions and grievances.

Mr. Watkins from the committee of Claims reported a bill for the relief of **Nathaniel B. Butler**.

Which bill was read the first time and passed.

Ordered. That the Clerk acquaint the Senate therewith.

Mr. Nevins from the committee of Captains' companies and Justices of the peace, reported a resolution appointing Justices of the peace for Williamson county.

And the question being taken, on agreeing thereto, it was determined in the affirmative.

Ordered. That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Carriger from the committee for enrolled bills, reported an act for the benefit of the Register of Maury county. And a resolution appointing Justices of the peace for Franklin county truly enrolled.

The Speaker signed the said act and resolution.

Ordered. That the Clerk acquaint the Senate therewith.

Mr. Easley from the committee on Divorces, reported a bill to divorce **Evelina Ball** and others, and a bill to divorce **Joab Brooks**.

Which bills were severally read a first time and passed.

Ordered. That the Clerk acquaint the Senate therewith.

Mr. Maury introduced a bill to incorporate the Franklin Rail Road company. **Mr. McLean** introduced a bill to incorporate the Trustees of Brownsville academy. **Mr. Turney** introduced a bill to close the Bank, and carry into effect the common schools. **Mr. Stockton** introduced a bill to amend an act entitled an act to authorize **Allen McDonald** to open a Turnpike road. **Mr. Holland** introduced a bill for the relief of **Albert Thomas**. **Mr. Brown** introduced a bill to incorporate the town of **Cornersville** in the

county of Giles. And Mr. Hardin introduced a bill to encourage the manufacturers of Iron.

Which bills were severally read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill to authorize the Sheriffs of Lincoln and Rhea counties to appoint three deputies. A bill to incorporate Trenton Female Academy. And a bill authorizing imprisonment for misdemeanors in certain cases.

Were severally read a third time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The House took up a bill to amend the stray laws. Mr. Vernon made a motion to amend the said bill by striking out '75 cents' for the purpose of inserting '50 cents' as the Ranger's fee.

And the question being taken thereon, it was determined in the negative.

Whereupon the said bill was read a third time and passed.

A bill to extend the limits of the town of Jackson was read a third time and passed.

A bill to incorporate the town of Denmark, was read a third time, amended on motion of Mr. Brown and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill from the Senate to divorce Jane Breeding from her husband, Lindsey O. Breeding, was read the first time and passed.

A bill to secure the collection of the legitimate revenue of this State, was read the second time, amended on motion of Mr. Joel R. Smith, and passed.

A bill for the benefit of the heirs and creditors of James Peak deceased, was read the third time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. McGaughey introduced the following joint resolution, to wit:

Resolved, by the General Assembly of the State of Tennessee, that the committee on Banks of the respective Houses be a joint committee, and that said committee be instructed to examine into the condition of the principal Bank at Nashville, in person, and report from actual observation, the real condition of said Bank, the amount of money on hand, the amount of capital, and what this capital has produced to the State during the last two years, as well as the expense that has attended the same, with such other information as may be deemed necessary by said committee.

On motion of Mr. Kincaid,

Ordered, That said resolution lie on the table.

Mr. Claiborne introduced the following resolution, to wit:

Resolved, That a joint select committee be appointed to enquire into the expediency of recommending to the good people of this State the propriety of voting for or against the call of a convention, at the next general election of this State.

Ordered, That said resolution lie on the table.

Mr. Maury introduced the following resolution, to wit:

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of authorizing justices of the peace, who may compose a quorum court, if the tax fee on suits imposed for their benefit be not sufficient or be not collected at the end of each year of their service, to draw from the treasury of the counties in which they may respectively reside, the residue of the compensation allowed them by law, out of any monies not otherwise appropriated.

Ordered, That said resolution lie on the table.

Mr. McLean introduced the following resolution, to wit:

Resolved, That the Senate meet the House of Representatives on Tuesday the 18th inst. to go into the election of Treasurer of the Western District.

Mr. Easley made a motion to amend the said resolution by adding thereto the words 'and of East Tennessee.'

And the question being taken thereon, it was determined in the affirmative.

Whereupon, the question was taken on agreeing to the said resolution, as amended, and determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

The house took up the bill to compensate Frederic S. Heiskell for printing and binding done on Haywood & Cobb's revisal.

Mr. Boddie made a motion to amend the said bill, by striking out the sum of fourteen hundred and sixty dollars and forty cents, for the purpose of inserting the sum of one thousand dollars, as compensation to the said Frederic S. Heiskell.

And the question being taken thereon, it was determined in the affirmative.

YEAS 19

NAYS 17

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative, are, Messrs. Speaker Huling, Boddie, Brown, Cheatham, Claiborne, Gowen, Jas. Gray, Geo. Gray, Hardin, Holland, Hurst, Kincaid, McGaughey, Nevins, Parris, Roberson, Joel R. Smith, Turney and Watkins.

Those who voted in the negative, are, Messrs. Allen, Carriger, Dickinson, Dunlap, Easley, Gillespie, Gordon, Inge, Maury, McFarland, McLean, Rogers, Alexander E. Smith, Stockton, Vernon, Wright and Young.

Whereupon Mr. Claiborne made a motion to reconsider the said vote.

And the question being taken thereon, it was determined in the affirmative.

L House.

When, on motion of Mr. Claiborne, the sum of \$1460 40 cents was stricken out, and \$1,200 inserted. And thus amended, the said bill was read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate, by Mr. Hill, their Clerk.

Mr. Speaker.

The Senate concur in the resolution of this House, appointing justices of the peace for Bedford and Warren counties—also your resolution in relation to the devise of Mason Lee to the State of Tennessee—and in your resolution providing for the election of Treasurer for the western district, and for East Tennessee on the 18th inst. The Speaker of the Senate did this day sign enrolled bills and resolutions of the following titles, to wit: An act to repeal the law allowing tax fees to attorneys; an act to authorize Jeremiah Johnson to build a mill dam on French Broad river; an act to inclose the milk sick hills in White county; an act to authorize a jury to be appointed in Jackson county; an act concerning guardians; an act to amend an act entitled an act to authorize a separate battalion in the 4th regiment; an act to amend an act entitled (an act) prescribing the mode of conveying criminals to the public jail and penitentiary house. A resolution directory to the President and directors of the bank of the State of Tennessee; and a resolution appointing a justice of the peace for Montgomery county.

And then he withdrew.

When, the Speaker signed the said acts and resolutions, and,

Ordered, That the same be deposited in the office of the Secretary of State.

Mr. Turney introduced a bill explanatory of an act entitled an act to authorize the entering and obtaining grants for any quantity of land under 5,000 acres, and for other purposes.

Which bill was read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The following bills from the Senate were severally read the first time and passed, to wit:

A bill to divorce Anderson Hodges from his wife Jane—a bill to authorize the Governor to close the business concerning the devise of Mason Lee—a bill to amend an act entitled an act to incorporate a medical society in the State of Tennessee—and a bill to provide the manner in which the costs in criminal cases shall be paid.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Kincaid,

Ordered, That the bill to repeal all laws authorizing the treasurer to rent or sell the school lands, be referred to the committee on school lands.

On motion of Mr. Boddie,

Ordered, That the bill to create a fund in each county for common schools, be referred to the committee on education.

A bill from the Senate to prevent appeals from before justices of the peace in certain cases,

Was read the first time, amended on motion of Mr. Nevins and passed.

A bill for the benefit of the people living on Cumberland mountain in Warren county—a bill to authorize a lottery for the continuation of Union street in the town of Nashville—a bill for the relief of Edmund Bean—and a bill to provide for the entry of the forfeited lands in the Hiwassee district:

Were severally read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill for the benefit of Wm. McCoy, was read a third time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill to enable the citizens of Dickson county to build a court house in said county,

Was read a second time, amended on motion of Mr. Kincaid, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill to keep open and in repair the ford road in Hawkins and Sullivan counties, was read a second time;

And on the question 'shall the bill pass,' it was determined in the affirmative.

YEAS 29

NAYS 8

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, Messrs. Speaker Huling, Allen, Boddie, Cheatham, Claiborne, Dew, Dickinson, Dunlap, Easley, Gillespie Gordon, Gowen, James Gray, Geo. Gray, Hardin, Hurst, Inge, McFarland, McGaughey, McLean, Nevins, Parris, Roberson, Rogers, Alexander E. Smith, Joel R. Smith, Stockton, Turney and Vernon,

Those who voted in the negative are, Messrs. Brown, Carriger, Holland, Kincaid, Maury, Watkins, Wright and Young.

Ordered, that the Clerk acquaint the Senate therewith.

On motion of Mr. McLean,

Resolved, That a select committee be appointed to report a bill fixing the prices of the public printing to be done by the printers elected by the present General Assembly—and,

Mr. McLean, Boddie, Cheatham, McGaughey, and Maury, were appointed the said committee.

The House took up the bill to reduce the salaries of the Judges of the Supreme court to one thousand dollars each, and of the Judges of the circuit courts to seven hundred and fifty dollars each.

Mr. Cheatham made a motion to amend the said bill by striking out the second section, which provides for a reduction of the salaries of the circuit judges to seven hundred and fifty dollars.

And the question being taken thereon, it was determined in the negative.

YEAS 16

NAYS 21

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, Messrs. Speaker Huling, Allen, Carriger, Cheatham, Claiborne, Dew, Dunlap, Gillespie, Gordon, Gowen, James Gray, McLean, Roberson, Joel R. Smith, Vernon and Watkins.

Those who voted in the negative are, Messrs. Boddie, Brown, Dickinson, Easley, George Gray, Hardin, Holland, Hurst, Inge, Kincaid, Maury, McFarland, McGaughey, Nevins, Parris, Rogers, Alexander E. Smith, Stockton, Turney, Wright and Young.

Mr. Dunlap made a motion to amend the said bill, by striking out of the first section the words "one thousand dollars" for the purpose of inserting the words fifteen hundred dollars, as compensation to the judges of the supreme court.

And the question being taken thereon, it was determined in the negative.

YEAS— 6

NAYS—31

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, Messrs. Boddie, Brown, Dunlap, James Gray, Alexander E. Smith, and Joel R. Smith.

Those who voted in the negative are, Messrs. Speaker Huling, Allen, Carriger, Cheatham, Claiborne, Dew, Dickinson, Easley, Gillespie, Gordon, Gowen, Geo. Gray, Hardin, Holland, Hurst, Inge, Kincaid, Maury, McFarland, McGaughey, McLean, Nevins, Parris, Roberson, Rogers, Stockton, Turney, Vernon, Watkins, Wright and Young.

Mr. Allen now moved a division of the question, which was agreed to by the house—

When the question was put in the followin words, to wit:

"Shall the first section stand as a part of the bill."

And determined in the affirmative.

YEAS 21

NAYS 16

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, Messrs. Speaker Huling, Allen, Carriger, Cheatham, Claiborne, Dew, Easley, Gordon, Gowen, Hurst, McGaughey, McLean, Nevins, Parris, Rob-

erson, Rogers, Stockton, Turney, Vernon, Watkins, and Wright.

Those who voted in the negative are, Messrs Boddie, Brown, Dickinson, Dunlap, Gillespie, James Gray, Geo. Gray, Hardin, Holland, Inge, Kincaid, Maury, McFarland, Alex. E. Smith, J. R. Smith, and Young.

Mr. Turney made a motion to amend the second section of the bill, by striking out the words "seven hundred and fifty dollars," for the purpose of inserting the words "nine hundred dollars" as compensation or salary to the circuit judges.

And the question being taken thereon, it was determined in the affirmative.

YEAS 19

NAYS 18

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, Messrs. Allen, Boddie, Brown Carriger, Cheatham, Claiborne, Dew, Gordon, James Gray, George Gray, Holland, Hurst, Parris, Rogers, Alexander E. Smith, Stockton, Turney, Vernon, and Watkins.

Those who voted in the negative are, Messrs. Speaker Huling, Dickinson, Dunlap, Easley, Gillespie, Gowen, Hardin, Inge, Kincaid, Maury, McFarland, McGaughey, McLean, Nevins, Roberson, Joel R. Smith, Wright and Young.

Whereupon the question was further put,

"Shall the second section stand as part of the bill," and determined in the negative.

YEAS 16

NAYS 21

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, Mr. Allen, Carriger, Cheatham, Easley, Gordon, Hurst, McGaughey, McFarland, Nevins, Parris, Rogers, Alex. E. Smith, Stockton, Turney, Vernon and Wright.

Those who voted in the negative are, Messrs. Speaker Huling, Boddie, Brown, Claiborne, Dew, Dickinson, Dunlap, Gillespie, Gowen, James Gray, Geo. Gray, Hardin, Holland, Inge, Kincaid, Maury, McLean Roberson, Joel R. Smith, Watkins and Young.

And so, the bill passed with the first section:

Ordered, That the Clerk acquaint the Senate therewith.

And then the House adjourned.

TUESDAY, OCTOBER 18, 1831.

The Speaker laid before the house the resignation of James L2 House.

Bowers, as a justice of the peace for Montgomery county.

Which was read, accepted, and ordered to be referred to the committee of Captain's companies and justices of the peace.

Mr. Stockton presented a petition of Robert Bush, praying the passage of an act authorizing him to prove his accounts by his own oath—and Mr. Cheatham presented a petition of sundry citizens of Robertson county, praying that the appearance bail of Joseph Stone may be released from a forfeited recognizance.

Ordered, That said petitions be severally referred to the committee of propositions and grievances.

Mr. Claiborne presented a petition of Montgomery Bell, praying a repeal of the act reserving certain lands for the use of an armory, and for other purposes.

Ordered, That said petition be referred to the committee on Internal Improvement.

Mr. McLean presented a petition of sundry citizens of McNairy county, praying a release of the state tax, to enable them to build a court house.

Ordered, That said petition be referred to the committee of Finance.

Mr. McGaughey from the committee of propositions and grievances, made a report upon the petition of Wm. Harrelson; and the resolution therein contained was concurred in by the house as follows, to wit:

Resolved, that the prayer of the petitioner ought not to be granted.

Mr. Dunlap, from the committee on internal improvements, reported a bill to authorize Cain Broyles to open a turn pike road.

Which bill was read the first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Nevins, from the committee of Captains' companies and justices of the peace, reported a resolution appointing justices of the peace, for Dickson, Hickman, and Montgomery counties.

And the question being taken on agreeing thereto it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Carriger, from the committee for enrolled bills, reported a resolution appointing justices of the peace for the counties of Bedford and Warren.

A resolution in relation to the devise of Mason Lee to the State of Tennessee—and an act to incorporate Trenton female academy, truly enrolled.

The Speaker signed the said act and resolutions.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Gordon, from the committee on land claims, reported a bill for the relief of Joseph Brown.

Which bill was read the first time and passed.

Mr. Claiborne introduced a bill to amend an act entitled an act to incorporate the Nashville and Franklin turnpike company, and Mr. Dunlap introduced a bill supplemental to an act authorizing Thomas Butler to open a turnpike road.

Which bills were severally read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The two houses assembled in the hall of this house, for the purpose of electing a treasurer for the Western District, a treasurer for East Tennessee, and a Solicitor General for the 5th district.

And on collecting and counting out the ballots the first time, it appeared that James Caruthers was duly elected treasurer of the Western District.

On collecting and counting out the ballots the first time, it appeared that Miller Francis was duly elected treasurer for East Tennessee.

And on collecting and counting out the ballots the second time it appeared that Wm. B. Campbell Esq. was duly elected Solicitor General of the 5th District—when,

The Speaker and members of the Senate withdrew.

A bill for the relief of Montgomery Irvine, was read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate, by Mr. Hill, their Clerk.

Mr. Speaker—

The Senate have adopted a resolution providing that the committees of the houses on captains' companies and Justices of the Peace, shall be made a joint committee—in which they ask the concurrence of this House.

And then he withdrew; when,

The question was taken on agreeing to the said resolution; and determined in the negative.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Boddie,

Ordered, that the bill to incorporate the subscribers to the bank of Tennessee be referred to the committee of the whole house on the condition of the State, and be made the order of the day for Thursday next the 20th inst.

On motion of Mr. Claiborne,

Ordered, that the bill to regulate ordinary or tavern license, be referred to the committee of propositions and grievances.

Mr. Kincaid introduced the following resolution, to wit:

Resolved, that the committee of the two houses on the subject of banks, be made a joint committee, for the purpose of ascer-

taining the condition of the State Bank, branch and agencies.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

On motion of Mr. Boddie,

The house took up the resolution introduced by him on the — inst. providing for the appointment of a joint select committee to fix and lay off congressional districts under the late census of the U. States, taken in 1830.

Mr. Brown made a motion to amend the said resolution, by inserting therein the following words, to wit:

Resolved, that said committee be instructed to lay off a number of districts corresponding to the number of members to which the state is now entitled; and report a bill providing that all the members to which the state is entitled beyond her present number, be elected by general ticket.

And the question being taken thereon, it was determined in the negative.

Ordered That said resolution lie on the table until tomorrow.

Mr. Carriger, from the committee for enrolled bills, reported a resolution appointing Justices of the Peace for Dickson, Hickman and Montgomery counties, truly enrolled.

The Speaker signed the said resolution.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker—The Senate concur in your resolution appointing justices of the peace for Dickson, Hickman, and Montgomery counties. The Senate have adopted 1st a resolution appointing justices of the peace for the counties of Sullivan, Washington and Henderson. 2. A resolution directory to the president and directors of the bank of the State of Tennessee. 3. A resolution directory to the committee on Internal Improvement. 4. A resolution directory to the committee on public printing. 5. A resolution directory to the committees on the Kentucky line to act jointly—and 6th, the Senate insist on a concurrence in their resolution making the committees of captains' companies and justices of the peace a joint committee.

And then he withdrew.

On motion of Mr. Hurst,

Ordered, That the first of said resolutions be referred to the committee of Captains' companies and justices of the peace.

When the house concurred in the 2d and 5th, of said resolutions, and nonconcurred in the 3d and 6th, of said resolutions.

And on motion of Mr. Dunlap,

Ordered, that the 4th of said resolutions lie on the table.

Mr. Inge presented the memorial of the President and direc-

tors of the Nashville bridge company against the establishment of a new bridge across the Cumberland river at Nashville.

Ordered, That said memorial lie on the table.

A bill to compensate Frederic S. Heiskell for extra printing and binding done on Haywood and Cobb's digest, was read a third time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

And then the House adjourned.

WEDNESDAY, OCTOBER 19, 1831.

Mr. Stockton presented a petition of Jesse Vaughn, praying to be released from certain taxes.

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. Hurst presented a petition of John Poe, praying compensation for an occupancy taken from him by special act of assembly.

Ordered, that said petition be referred to the committee on the Hiwassee lands.

Mr. Geo. Gray presented the resignation of Elijah D. Robbins as a justice of the peace for Franklin county—and Mr. Kincaid presented the resignation of John W. Nelson, as a Justice of the peace for Bedford county.

The said resignations were severally read, accepted, and

Ordered, to be referred to the committee of captains' companies and Justices of the Peace.

Mr. Kincaid also presented a petition of J. & W. Pennywell, praying the appointment of Jonathan Pennywell, as agent for the State, to settle the devise of Mason Lee deed.

Ordered, that said petition lie on the table.

Mr. Gowen presented a petition of sundry citizens of Rutherford county, praying that if a new county should be established, they may not be included therein.

Ordered, that said petition be referred to the committee of new counties and county lines.

Mr. McGaughey, from the committee of propositions and grievances, reported a bill to prevent the destruction of fish by poison.

Which bill was read the first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. McGaughey, from the same committee, reported the bill to regulate ordinary and tavern license, without amendment.

Ordered, that Mr. Hurst have leave to withdraw the said bill for amendment.

Mr. Nevins, from the committee of Captains' companies and

Justices of the peace, reported a resolution appointing justices of the peace for the counties of Hickman, Bedford and Sullivan.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. McLean from the committee on the Western District lands reported the bill for the relief of occupants south and west of the Congressional reservation line, and for other purposes, without amendment.

On motion of Mr. Gordon,

Ordered, That said bill lie on the table.

Mr. Watkins from the committee of claims, reported a bill for the benefit of Geo. W. Churchwell.

Which bill was read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Cheatham from the committee on military affairs reported a bill to change the time of holding regimental drill musters.

Which bill was read the first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Hurst from the committee on new counties and county lines, reported a bill to establish the county of Dekalb.

Which bill was read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate, by Mr. Hill their Clerk.

Mr. Speaker:—The Speaker of the Senate did this day sign an enrolled bill, entitled an act making compensation to Frederic S. Heiskell, for extra printing and binding done on Haywood & Cobb's Digest. And then he withdrew.

When the Speaker signed the said act and

Ordered, That the same be deposited in the Office of the Secretary of State.

On motion of Mr. Cheatham,

Resolved, That the President and Directors of the Nashville Bridge company be respectfully requested to report to this house the number and names of the stockholders in said company, who originally paid the amount of their subscription; also the number and names of the Stockholders, who forfeited their stock;—also the number and names of the present stockholders, and the amount of stock held by each; also whether said stock is under par, when and how long it has been under par, whether the present stockholders have not purchased the stock at a very reduced price. And if so at what reduction said stock has been so purchased, and by whom purchased, and from whom purchased; and also whether said Bridge company have not united for the purpose of shutting up the several ferries in the neighborhood of Nashville, and if so how many ferries have been stopped and rented, and where are they situated.

Mr. Roberson introduced a bill to release Hale's Turnpike from the payment of a State tax. Mr. Claiborne introduced a bill to incorporate the Tennessee manufacturing company. Mr. Carriger introduced a bill to repeal part of an act entitled an act to make two Regiments, by a division of the 5th Regiment. Mr. McLean introduced a bill to extend the time allowed by law for the erection of certain turnpikes and bridges in the Western District—and, Mr. Allen introduced a bill making compensation to certain enterers and grantees for their improvements between the two Kentucky lines.

Which bills were severally read a first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill for the benefit of the widow and heirs of James Blair deceased—a bill to compel constables to pay a poll tax—a bill to exempt the militia of the 58th regiment in the county of Morgan, from attending battalion musters—and a bill for the benefit of Jesse Savage.

Were severally read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill to divorce the persons therein named,

Was read a second time;

And on the question "shall the bill pass," it was determined in the negative.

YEAS 16

NAYS 21

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative, are Messrs. Boddie, Dew, Dunlap, Easley, James Gray, Geo. Gray, Hurst, Kincaid, McGaughey, Nevins, Parris, Rogers, Alexander E. Smith, Joel R. Smith, Turney and Wright.

Those who voted in the negative are, Messrs. Speaker Huling, Allen, Brown, Carriger, Cheatham, Claiborne, Dickinson, Dobbins, Gillespie, Gordon, Gowen, Holland, Inge, Maury, McFarland, McLean, Roberson, Stockton, Vernon, Watkins, and Young.

And so the said bill was rejected.

A message from the senate by Mr. Hill their Clerk.

Mr. Speaker.

The Senate nonconcur in the resolution of this house, making the committees of the two houses on banks, a joint committee for the purpose of ascertaining the condition of the state bank, branch and agencies. The Senate have appointed a sub-committee on banks, to join such committee as may be appointed on part of this house, to examine in person the condition of the state bank, in which they ask the concurrence of this house.

And then he withdrew—when,

The question was taken on agreeing to the said resolution, and determined in the affirmative—and

Mr. Boddie, James Gray, Maury, Vernon, Easley, and Dickinson, were appointed the said committee on part of this house.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Boddie,

The House took up the resolution providing for the appointment of a committee to fix the congressional and electoral districts under the United States Census of 1880.

And the question being taken on agreeing thereto, it was determined in the affirmative.

YEAS 19

NAYS 18

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, Messrs. Speaker Huling, Allen, Boddie, Brown, Carriger, Cheatham, Claiborne, Dickinson, Easley, James Gray, Hurst, Inge, Kincaid, Maury, McGaughey, Roberson, Alex. E. Smith, Vernon and Watkins.

Those who voted in the negative, are, Messrs. Dew, Dobbins, Dunlap, Gillespie, Gordon, Gowen, Geo. Gray, Holland, McFarland, McLean, Nevins, Parris, Rogers, Joel R. Smith, Stockton, Turney, Wright and Young.

And so the resolution was agreed to by the house—and Messrs. Boddie, Allen, Carriger, McGaughey, Dunlap, Alex. E. Smith, Wright, Roberson, Turney, Geo. Gray, Dickinson, Maury, Inge, Brown, Kincaid, Gordon, Cheatham, McLean, Joel R. Smith, and Holland, were appointed the said committee.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

And then the House adjourned.

THURSDAY, OCTOBER 20, 1881.

Mr. Stockton presented a petition of John Mee, praying the passage of an act authorizing him to hawk and peddle without license; also, a petition of Thomas Blake, praying a preference of entry for a fraction of land in Roane county.

Ordered, That the first of said petitions be referred to the committee of propositions and grievances; and the last of said petitions to the committee on the Hiwassee lands.

Mr. Vernon presented a petition of Moses Fields, praying the privileges of citizenship.

Ordered, that said petition be referred to the committee of propositions and grievances.

Mr. Geo. Gray presented a petition of sundry citizens residing on Crow creek, praying special amendments to the militia law.

Ordered, That said petition be referred to the committee on military affairs.

Mr. Turney presented a petition of Elizabeth Hurst, adverse to the petition of her husband Isaac Hurst, praying for a divorce.

Ordered, That said petition be referred to the committee on divorces.

Mr. Watkins presented sundry copies of grants and other evidences of claims to land.

Ordered, That said papers and documents be referred to the committee on land claims.

Mr. Dew presented a petition of Ann Wherry, praying the privileges of a *feme sole*.

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. Dobbins presented the report of the commissioners of common schools in Maury county.

Ordered, That said report be referred to the committee on education.

Mr. Watkins, from the committee of claims, reported a bill for the register of East Tennessee, without amendment, and recommended its rejection.

Ordered, That the said bill lie on the table.

Mr. Cheatham, from the committee on military affairs, to which was referred the report of the Secretary of State on militia resignations, reported that the committee had directed him to ask leave to be discharged from the further consideration of said report.

Ordered, that the committee on military affairs be discharged from the further consideration of said report.

Mr. Nevins, from the committee of captains' companies and justices of the peace, reported a resolution appointing justices of the peace for Fentress county.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Easley introduced a bill to authorize the commissioners of the Bean's station turnpike road, to pay interest on certain monies—and Mr. Dunlap introduced a bill for the benefit of salt works.

Which bills were severally read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill for the relief of Peter Chilcut and Augustus H. White, was read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill for the benefit of the widow and heirs of James Blair, died.

M HOUSE.

Was read a third time, and last time passed, and ordered to be engrossed.

Ordered, That the bill to equalize the tax on merchants and for other purposes, be referred to the committee of finance.

A bill to authorize Alexander Duggan to open a turnpike road, was read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill to appropriate certain monies for the purpose of opening Big Sandy river,

Was read a third time and passed.

Mr. Inge returned a bill to amend the judiciary system of this State, with an amendment in lieu of the whole bill from its enacting clause; which was read and agreed to by the house—

Whereupon, the said bill was read the first time as amended, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. McGaughey,

Ordered, That Mr. Alexander E. Smith be added to the committee of propositions and grievances.

On motion of Mr. Gordon,

Ordered, that Mr. Brown be added to the committee on land claims.

On motion of Mr. Turney,

Ordered, that bills of a general nature shall be read and considered in the forenoon of each day—and bills of a local and private or personal character, in the afternoon of each day; provided, should there not be bills upon the table, on any day, of either character, to occupy the time thus respectively set apart to the consideration of each, it shall be in order to proceed to the consideration of such of either kind of bills as may be on the table without regard to time—which fact in either case shall be announced to the house by the Speaker. And provided further this rule shall not be construed to interfere with or operate upon a special order of the day, or with the proceedings of the house when in committee of the whole, or with messages from the Senate.

Mr. Turney introduced a bill to suppress open and notorious lewdness—Mr. McLean introduced a bill for the benefit of John Jett and others—Mr. Maury introduced a bill for the benefit of the quorum court of Williamson county.

Which bills were severally read a first time and passed.

A bill to prevent Sheriffs and other officers holding elections, from opening the tickets of voters—A bill for the benefit of Nathaniel B. Butler—A bill to amend an act entitled an act to extend the turnpike road granted to Wm. Reynolds;

Were severally read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The following bills from the Senate were severally read the

first time and passed.

A bill for the benefit of Sally Martin—a bill for the relief of the citizens of Kingsport—a bill to incorporate the town of Randolph—a bill for the benefit of Daniel D. Fouté—and a bill to authorize Amos Marney to open a turnpike road.

Ordered, that the Clerk acquaint the Senate therewith.

A bill from the Senate for the relief of Sandford and Mitchell was read the first time, amended on motion of Mr. Gordon, and passed.

A bill to incorporate the trustees of Brownsville academy, was read the second time, amended on motion of Mr. Brown, and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill "from the Senate" to divorce Polly Farmer and others, was read the first time and amended on motion of Mr. Hardin—when,

Mr. Boddie made a motion to postpone the said bill indefinitely.

And the question being taken thereon, it was determined in the affirmative.

YEAS 22

NAYS 15

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, Messrs. Speaker Huling, Allen, Boddie, Brown, Carriger, Cheatham, Claiborne, Dickinson, Dobbins, Gillespie, Gordon, Gowen, James Gray, Holland, Hurst, Inge, Maury, McFarland, McLean, Roberson, Vernon and Watkins.

Those who voted in the negative are, Messrs. Dew, Dunlap, Easley, George Gray, Hardin, Kincaid, McGaughey, Nevins, Parris, Rogers, Alexander E. Smith, Joel R. Smith, Stockton, Turney, and Young.

And so the said bill was rejected.

Mr. McLean introduced the following resolution, to wit:

Resolved, That the committee on the penitentiary be instructed to enquire into the expediency of directing some summary mode of granting divorces to the wives or husbands of such persons as may be sentenced under existing laws to confinement in the penitentiary.

And the question being taken on agreeing thereto, it was determined in the negative.

On motion of Mr. Maury,

Resolved, That a committee be appointed to wait on Doctor Gerard Troost, professor of mineralogy, geology and chemistry, in the University of Nashville, and request him to furnish for publication, a copy of the interesting discourse delivered by him

in the hall of the House of Representatives, on the evening of the 19th

And Messrs. Maury, Kincaid and Dew, were appointed a committee in pursuance of said resolution.

And then the House adjourned.

FRIDAY, OCTOBER 21, 1831.

The Speaker laid before the house a petition of sundry citizens of Montgomery county, praying amendments to the patrol laws.

Ordered, that said petition be referred to the select committee to which is referred an examination of the criminal code for the government of slaves.

Mr. McFarland presented the resignation of Wm. Dick as a justice of the peace for Jefferson county, which was read, accepted, and ordered to be referred to the committee of captains' companies and justices of the peace.

Mr. Stockton presented a petition of sundry citizens of Morgan county, praying the passage of an act granting a second class road from Dr. Lea's in Morgan county to Ellis' on Tennessee river in Roane county.

Mr. George Gray presented a petition of James H. Mosley.

Ordered, that said petitions be severally referred to the committee of propositions and grievances.

Mr. Parris presented a report of the common school commissioners in Warren county.

Ordered, That said report be referred to the committee on Education.

Mr. Turney presented a petition of sundry citizens of Fentress county praying a repeal of certain laws regulating masters in said county.

Ordered, that said petition lie on the table.

Mr. Dew presented a petition of sundry citizens of the town of Lebanon, praying an extension of the corporation of said town—and the circuit court Clerk's return for the county of Wilson.

Ordered, That said petition be referred to the committee of propositions and grievances; and said return to the committee of Finance.

Mr. Holland presented a petition of sundry citizens of Weakley county, praying a preference of entry for the benefit of Joseph Vincent.

Ordered, that said petition be referred to the committee on Western District Lands.

Mr. McLean presented a petition of Daniel Madding, praying compensation for the expenses of a convict brought to the penitentiary.

Ordered, that said petition be referred to the committee on claims.

Mr. Inge presented a letter from the President of the Nashville bridge company, acknowledging the receipt of the resolution of this house of the 19th inst. promising a compliance therewith.

Ordered, That said letter lie on the table.

Mr. Watkins, from the committee on claims, made an unfavorable report on the petition of Patrick Carey and George Gibson and Russell Lane.

Ordered, that said report lie on the table.

Mr. Watkins from the same committee made a report on the petition of Thomas Tipton, and the resolution therein contained was concurred in by the house as follows, to wit:

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Nevins from the committee on justices of the peace, reported a resolution appointing Justices of the peace for Hamilton county.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. McGaughey from the committee of propositions and grievances made a report upon the petitions of Moses Field and Jesse Vaughn, and the resolution therein contained was concurred in by the House as follows, to wit:

Resolved, that the prayer of the petitioners respectively ought not to be granted.

Mr. Carriger from the committee for enrolled bills reported an act for the benefit of the widow and heirs of James Blair, dec'd truly enrolled.

The Speaker signed the said act.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Cheatham from the committee on military affairs, reported a bill to establish a new militia company in the county of Wilson, which bill was read a first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Allen from the committee on the Penitentiary, made a report accompanied with a bill making an appropriation for the completion of the Penitentiary established in this State.

The said report was read at the Clerk's table and is as follows:

REPORT

*Of the Penitentiary Committee, in the House of Representatives,
October 21st, 1831.*

The Committee to whom was referred so much of the Governor's Message as relates to the Penitentiary, have had the same
M2 House.

under consideration, and beg leave to report:

That the law of last session, in relation to a site—the construction of buildings, manner of making contracts, mode of expending money, &c. has been carefully and strictly complied with by the Commissioners, as will more fully appear by their report herewith submitted.

To the General Assembly of the State of Tennessee.

Having been appointed by the last General Assembly Commissioners to superintend the erection of a Penitentiary, we deem it proper that we should render an account to you of our Stewardship.

We considered it proper before commencing the work to employ some one to visit, and procure plans of the most approved Eastern Penitentiaries. This duty was performed very much to our satisfaction by Mr. David Morrison. Under the law we had a discretionary power to obtain a site to contain from four to ten acres. For the purpose of making a vegetable garden for the convicts, we deemed it proper to go to the limits of the law, and accordingly purchased ten acres about a mile from the court house, which was paid for by the citizens of Nashville.

We felt somewhat embarrassed at the commencement of the work, as to the extent of the plan we should adopt. If the whole buildings were to be completed for the twenty-five thousand dollars, appropriated at the last session, we were confident that it would soon be wholly inadequate to the necessities of the State, and that in a few years additional buildings would have to be put up, which, with the old buildings would cost much more than an edifice constructed of sufficient size in the first instance. Nor did it seem less objectionable to commence the work on a sufficiently extended plan, quit when the appropriation was exhausted, and delay the completion of the institution until an additional appropriation could be granted at the present session. All of us know the injury to which half finished buildings are liable by the effects of time and weather. Upon a view of the whole subject, and being fully persuaded that the State would sustain us in the course we determined to adopt a plan of sufficient dimensions to answer the wants of the State for many years to come. The plan being adopted, we entered into various written contracts with workmen, and the business commenced about the first of April, 1830; the summer and fall seasons were favorable to the progress of the work, and such was the industry that prevailed among our workmen, that in the short space of nine months each one had fulfilled his contract and the institution was in a state of readiness for the reception of convicts. It is gratifying to be able to state that, although the work was undertaken on the most reasonable terms, yet each individual had a fair profit on his labor, and not the slightest difficulty took place in a settlement with any one. We

also take leave to say that the plan adopted was so perfect that during the progress of the buildings it was not found necessary to make a single alteration. The institution presents a front of three hundred and ten feet, and is three hundred and fifty feet in depth. The two wings of the front building contain two hundred cells, and half of the centre buildings is occupied by the keeper as a dwelling house, and the other half is intended for guard rooms, store house, hospital, &c. The buildings are of the most substantial and durable materials, and are as nearly fire proof as they could be made. The yard walls commence on a solid stone foundation. They are four feet and a half thick at the bottom and three feet at the top. The average height is about twenty-five feet. But we forbear to give any further description of the institution, not doubting but that your honorable body will give it a close examination.

When the twenty-five thousand dollars appropriated by the General Assembly at the last session were exhausted, for the purpose of enabling us to proceed with the buildings we borrowed from the State Bank sixteen thousand nine hundred and eighty-four dollars and thirty-three cents, for which our own notes were placed under discount. We were offered the money by Yeatman, Woods & Co. of Nashville, but we preferred procuring it from the State Bank, as in *that* the interest would be saved.

There is also a balance due to individuals of seven thousand seven hundred and forty-five dollars and eighty-five cents, making the whole amount expended, forty-nine thousand, seven hundred and thirty dollars and eighteen cents. The vouchers for the expenditure of the money are in our possession, and they are held subject to such an examination as you may be pleased to direct.

Mr. David Morrison was employed as architect to superintend the erection of the buildings, and it is due to him to say that he discharged his duty with zeal and fidelity.

This report could have been greatly enlarged, but having been prepared this morning, in the midst of other employments, we were obliged to be brief; it will however afford us much satisfaction to give any additional explanation which you may require.

In discharging the trust confided to us, our best efforts have been employed to promote the interest of the state. If what we have done meets your approbation we shall be highly gratified; if not we shall have the consolation to know that our intentions were good.

Respectfully submitted,

R. C. FOSTER,

MOSES RIDLEY,

JOS. WOODS,

} Commissioners.

Nashville, Sept. 21st, 1831.

It may not be improper to offer some remarks on the amount

expended by the Commissioners in the erection of the Penitentiary, over and above the twenty-five thousand dollars appropriated at the last session. It will be remembered by at least the old members of this house, that when the appropriation was made, it was not contemplated that it would be sufficient for the building of an edifice of suitable size and description for the future emergencies of this State, and it was anticipated, that considerable additional supplies would be required. Indeed, it was thought by many that the erection of the buildings could not be completed in less than two years, and of course a further supply of money would not be required until the present session. Your committee therefore cannot but approve most cordially of the course pursued by the Commissioners in adopting and completing a plan of sufficient dimensions to answer the purposes of the State for a long time to come, without additions or alterations.—The Committee have examined the buildings, walls, &c. and so far as they are capable of judging, have no hesitation in saying, that the plan combines economy and security, and that the workmanship of every description is of the very first order.

The whole amount of expense of the institution may be set down at the sum of \$50,000—much less than any other Penitentiary of the same dimensions in the United States. In proof of this position, your Committee would observe that the Kentucky Prison, which is in no respect equal to ours, cost more. The Ohio Penitentiary, which is certainly inferior to ours, cost that State the enormous sum of \$150,000. That of New Jersey, far inferior to ours, cost \$50,000. Numerous other instances could be mentioned, but it is deemed unnecessary. Your Committee would further report, that upon examination, they find the convicts are employed in the manner set forth in the report of the Inspectors which is herewith submitted.

To the General Assembly of the State of Tennessee.

The undersigned, Inspectors of the Penitentiary, beg leave to report, that there are now nineteen convicts in the prison; that they have been and are employed as follows:

Two of them work at the Taylor's trade; two at the Blacksmith's business; two at the Shoemaking business; two are employed at the Cooper's business; and three or four generally work at the Carpenter's trade; the balance of the convicts have been employed as laborers in levelling the Penitentiary yard, and such other work as was necessary to be performed. The labor of the convicts has more than covered the expense of diet and clothing, as will more fully appear by reference to the Keeper's report on that subject.

When the Penitentiary was in a state and condition for the reception of convicts, the undersigned deemed it highly important to the interest of the State to appoint a person of experience and

good character as keeper. They accordingly selected Mr. John McIntosh, who had been ten years employed in the Penitentiary of Kentucky, and had uniformly given great satisfaction to those by whom he was employed. It is proper to add, that his conduct here, has met with the entire approbation of the undersigned. He is kind and humane to the convicts, who faithfully discharge their duty; and firm and prompt in punishing, according to law, those who violate the rules of the Institution.

Aware of the necessity of observing strict economy in the management of the Penitentiary, the undersigned have for the present, deemed it inexpedient to appoint any officer which the law authorizes except the Keeper and three guards: one of whom is a carpenter, and works throughout the day at his trade.

The undersigned respectfully state that it will at all times afford them pleasure to furnish any information in their power to the General Assembly in relation to the Penitentiary.

The undersigned request that the General Assembly will be pleased to visit the Penitentiary this afternoon at four o'clock.

Respectfully submitted.

R. C. FOSTER,
WM. CARROLL,
MOSES RIDLEY.

Your committee would here remark, that the Inspectors have observed the most rigid economy in the appointment of officers for the institution; although there are now twenty-four convicts in the prison, they are all under the care of a Keeper and two guards.

Your Committee have also had under examination, the report and account of the Keeper, to which they beg leave to refer; number 1 marked A. exhibits and accounts of receipts and expenditures; number 2, marked B. shows the quantity and value of the prison furniture, and the articles on hand for sale; number 3, marked C. exhibits the name, crime, conduct, &c. of the convicts; number 4, marked D. shews how the convicts respectively have been employed; number 5, marked E. is a short report of the Keeper.

A.

MR. JOHN MCINTOSH,

In account with the Penitentiary.

For this amount received of Thomas Crutcher, Esq.

Treasurer of West Tennessee,

\$1500 00

For this amount, for articles sold at the Penitentiary, 188 49

\$1688 49

CONTRA.

CR.

By this amount for contingent expenses,

as per vouchers,	\$652 00.
By this amount for improvements on the Penitentiary lot, as per vouchers,	194 00
By his salary from the 1st of Jan. 1831, to 1st October, 1831—9 months, is,	750 00.
By 210½ rations for convicts, at 10 cents,	210 40—1806 40
Balance due Keeper,	118 21
By boarding three guards twenty two months, and twenty-three days, whole time of the three, at \$100 a year, is	189 66
	\$307 87

The undersigned, Inspectors of the Penitentiary have examined the above account, and the vouchers of the Keeper, and certify that they are correct.

R. C. FOSTER,
WM. CARROLL,
MOSES RIDLEY,

September 2½, 1831.

B FURNITURE OF THE PRISON.

19 Berths with their furniture,	\$6 00—\$114 00
6 Tables,	1 00 6 00
Cooking utensils,	10 00
Table furniture,	6 00
Cell furniture, (<i>Piggins and Wash Noggins</i>),	14 25
	\$150 25
Cooper's ware on hand,	\$9 87½
Cooper's materials on hand,	20 00
	29 87½
1 Patent Balance and frame,	\$20 00
1 Cart nearly finished,	30 00
	\$50 00
Amount of shoes on hand,	53 62½
Shoemaker's Tools,	31 25
Stock of Leather on hand,	12 00
Tailor's tools,	12 25
Carpenter's tools,	45 75
Cooper's tools,	26 03½
Blacksmith's tools,	75 00

State of Tennessee Davidson county—John McIntosh makes oath that the within statement is just and true to the best of his knowledge and belief.

JOHN M'INTOSH.

Sworn to and subscribed before me this 24th day of September, 1831.

R. C. FOSTER, J. P.

C.

An account of the Convicts in the Penitentiary of Tennessee.

NAMES.	Where convicted	Time convicted for.		For what crime convicted.	Sex.	Age.	When committed.	Deaths	Pardons	Conduct
		Y'rs.	Mo's.							
Jno. Armstrong	Franklin county	6		Horse stealing	male	35	July 19			bad
Miles Allen,	Wilson "	2	6	Petit Larceny	male	45	May 5			good
Beasley Barbey	Giles "	4	8	Shooting	male	20	April 9			good
Geo. W. Cook	Madison "	2		Stabbing	male	21	January 25			good
W. H. Crawford	Rhea "	3		Stealing Bank Bills	male	21	April 16			bad
Jas. Counce	Maury "	2		Stealing tea spoons	male	27	May 11			bad
Abram Conly	Knox "	1		Stealing bacon	male	21	Aug. 29			good
Silas Conly	Knox "	1		do do	male	25	Aug. 29			good
John Dougan	Franklin "	10		Manslaughter	male	45	Jan. 22			very good
James Gibbons	Jefferson "	3		Passing counterfeit coin	male	18	Aug. 1			very good
John Gill	Giles "	3		Assault with intent to kill	male	42	Aug. 27			good
Wm. Lefevre	Franklin "	3		Forgery	male	28	July 19			bad
David May	Roberson "	1		Petit Larceny	male	24	April 9			very good
John Marsh	White "	1		Stealing bacon	male	31	Sept. 4			bad
Jackson Pannel	Davidson "	8		Horse stealing	male	27	June 16			good
W. R. Rogers	Giles "	3	6	do do	male	32	August 27			very bad
Alex. Spears	Henderson "	6		do do	male	21	April 18			good
Jos L. Wilson	Wilson "	15		Manslaughter	male	32	May 5			good
Hugh H. Moore	Davidson "	5		Forgery	male	58	Sep. 16			good

sentence by U. S.
court.

I, John McIntosh keeper of the Jail and Penitentiary house of the state of Tennessee, do hereby certify, that the above statement is accurate and just. Witness my hand this 24th day of Sept. 1831.

JNO. M'INTOSH,
Keeper of Tennessee Penitentiary.

Commissioners of Penitentiary, to John McIntosh, Dr.

JOHN ARMSTRONG, received 19th July, and to 1st

Oct. he labored 64 days, together with the stri-
ker, and use of tools. £2 00 per day,

\$128 00

His behaviour has been only tolerably good.

From Franklin county, for horse stealing, sentenced
for 6 years.

MILES ALLEN, received 5th May, from that time to
1st Oct. is 128 days. Of this time he labored as a

Carpenter 65 days, at 50 cents per day,

32 50

He was sick six days.

He worked as a common laborer 57 days at 40
cents per day,

22 80

His behaviour has been good.

Sentenced 2 years 6 months, from Wilson county,
for petit larceny.

BEASLEY BARBY, received 9th April, from this time
to 1st Oct. is 150 days. He has labored as a Tail-
or the whole time.

His conduct has been good.

Sentenced from Giles county, 4 years and 8 months,
for shooting.

GEO. W. COOK, received 25th Jan. from that time to
1st Oct. is 232 days. He has labored as a Tailor
all the time.

His behaviour very good.

Sentenced from Madison county, two years for stabbing.

WM. H. CRAWFORD, received 6th April, from that
time to 1st Oct. is 153 days. Worked as a Car-
penter 78 days at 50 cents per day,

39 00

Lost by sickness 15 days.

Worked as a laborer 60 days at 40 cents per day,

24 00

Sentenced from Rhea county, three years for steal-
ing bank bills.

His behaviour tolerable.

JAMES COUNCE, received 11th May, from this to 1st
Oct. is 125 days. Employed as a laborer 99 days
at 40 cents per day,

39 60

Cooking and waiting balance of the time, 26 days.

Sentenced from Maury county, 2 years, for steal-
ing tea spoons. His behaviour tolerable.

JOHN DOUGAN, received 22d Jan. from this time to
1st Oct. is 212 days. Labored as a Carpenter of
this time 124 days, at 75 cts per day.

93 00

The balance of the time, 88 days, he has been em-
ployed as a cooper, shoe maker, and last maker.

Sentenced from Franklin county for 10 years, for manslaughter. His conduct very good.

JAS. GIBBONS, received 1st Aug. from this time to 1st Oct. is 53 days. Employed as a common laborer, at 40 cts. per day,

21 20

Sentenced from Jefferson, three years, for passing counterfeit coin. Behavior not very good,

JOHN GILL, received Aug 27, from this time to 1st Oct. is 30 days. Employed in blacksmithing.

Sentenced from Giles county, 3 years, for an assault with intent to kill. Behaviour good.

WM. LEFEVER, received 19th July, from this time to 1st Oct. is 64 days. Employed as a common laborer, at 40 cents per day,

25 60

Sentenced from Franklin county, three years, for forgery.

Behaviour bad.

DAVID MAY, received 9th April, from this time to 1st Oct. is 143 days. Employed as a Carpenter 141 days, at 50 cents per day,

70 50

Laid up 7 days by cutting himself.

Sentenced from Robertson county, 1 year, for petit larceny. Remarkable good behaviour.

JOHN MARSH, received 4th Sept. from this time to 1st Oct. is 22 days. Employed as a common laborer, at 40 cents per day,

8 30

Sentenced from White County, 1 year, for stealing bacon. Behaviour only tolerable.

JACKSON PANNEL, received 16th June, from this time to 1st Oct. is 92 days. Employed as a Carpenter all the time at 50 cents per day,

46 00

Sentenced from Davidson county, 8 years, for horse stealing. Behaviour good.

WASHINGTON R. ROGERS, received 27th August, from this time to 1st Oct. is 30 day. Employed as a laborer 3 days, at 40 cents per day,

1 20

Part of his time shoemaking.

Sentenced from Giles county, 5 years and 6 months for horse stealing. Behaviour very bad.

ALEX. SPEARS, received 18th April, from this time to 1st Oct. is 143 days. Employed as a laborer 133 days, at 40 cents per day.

53 20

Sick 10 days.

Sentenced from Henderson county, 6 years, for horse stealing. Behaviour tolerably good.

JOS. L. WILSON, received 5th May, from this time

N HOUSE.

to 1st Oct. is 126 days. Employed as a Shoemaker and Cooper.

Sentenced from Wilson county, 15 years for manslaughter. Behaviour good.

ABRAM and SILAS CONLY, received 29th August, from this time to 1st Oct. is 58 days. Employed as common laborers all the time at 40 cts p. day, 25 20

Sentenced from Knox County, 1 year each, for stealing bacon. Behavior tolerably good.

The foregoing report of the labor of the convicts, shows that the work done for the Prison is worth 628 40

There is due to the Penitentiary in accounts, 180 50

15 pair of shoes for convicts, 22 50

\$831 40

I, John McIntosh, Keeper of the Jail and Penitentiary House of the State of Tennessee, do certify, that this paper contains a true account of the manner in which the convicts have been employed since their commitment, and I have fixed what I conceive to be a fair value for their labour.

JOHN McINTOSH,

Keeper of the Tennessee Penitentiary.

September 24, 1831.

E.

To the General Assembly of the State of Tennessee.

The undersigned, Keeper of the Jail and Penitentiary, begs leave to offer the following report:

Paper No. 1, herewith shows an account of receipts and expenditures.

No. 2, An account of the Penitentiary furniture.

No. 3, The number of convicts, time of receiving them, where from, what crime, &c.

No. 4, The manner in which the convicts have been employed.

The undersigned regrets that he has not been able to present a more full account at present. It will, however, afford him pleasure to give any additional information hereafter. He expresses a full conviction, that after the work shops are built, and the convicts are all regularly employed, that the Penitentiary will be but a small charge on the State.

JOHN McINTOSH,

Keeper of the Tennessee Penitentiary.

September 24, 1831.

Your Committee further report, that they have closely examined the Criminal Code of the last session, and although they bear testimony to the ability with which it was prepared, yet experience has proved it to be defective in some of its parts. The first

part which suggests itself as worthy of consideration, is that of Petit Larceny—under the present law, it is punished with confinement not less than one, nor more than five years. Jurors, in almost every instance, fix the period of confinement for this offence, at one year; which imposes a heavy burthen upon the State. For the expense of bringing the convicts to the Penitentiary is as great as if the period of confinement was twenty years; and the time of his imprisonment expires before he can be beneficially employed at any mechanical labor. To avoid this inconvenience, your Committee would recommend, that for the first offence, the offender should be confined for some stated period in the county Jail, and for the second, he should be punished as is prescribed in cases of Grand Larceny.

They have had before them the subject of punishing convicts under the present law for refractory or other improper conduct. While they view with deep regret the necessity of corporeal infliction in any event, they are constrained to admit that solitary confinement on bread and water will not overcome the stubborn and unruly disposition of a bad convict. One instance has already occurred, where the punishment has been inflicted on a convict almost to the full extent of the law, without producing any great change for the better in his conduct. It is, too, a description of punishment which the keeper will often omit to inflict, because the labor of the offender, owing to peculiar circumstances, may be of the utmost consequence. A dozen of convicts may be employed in carrying on some branch of business, each of whom is necessary for its successful progress: the removal of one or more of them for thirty days, might be productive of many injurious consequences to the Institution. With this view of the subject, your Committee would recommend, that for the first offence the convict should be confined in a solitary cell, on bread and water, for a period not exceeding ten days, and that for every offence thereafter, he should be punished with stripes by the Keeper, under such regulations as the Inspectors may adopt.

They have also considered the subject of granting permits to visit the prison; the present plan they consider very inconvenient, and submit the propriety of vesting the power of permitting visitors to enter the Prison in the Keeper, subject to the control of the Inspectors.

They further suggest the propriety of withholding all pay or compensation from Sheriffs, guards, &c. who shall bring a convict to the Penitentiary intoxicated with liquor; the reasons for this are so obvious, that it cannot be necessary to mention them.

In relation to the sum expended over the amount appropriated at the last session, your Committee find that the Commissioners placed their own notes under discount, for seventeen thousand five hundred dollars, upon which they received sixteen thousand nine

hundred and sixty-three dollars and thirty-three cents. They also find that there are due to individuals, eight thousand, fifty-seven dollars, sixty-seven cents. And they beg leave herewith to report a bill, directory to the State Bank, to deliver to the Commissioners their notes above mentioned, and also for a further appropriation of eight thousand fifty seven dollars, sixty-three cents, to discharge the debts due to individuals, thus making the whole appropriations up to this time, the precise sum of fifty thousand dollars—a small additional sum will be wanting for the erection of work shops. The Committee having thus discharged the duty confided to them, beg leave to conclude by an expression of their most unqualified approbation of the conduct of all those to whom have been entrusted, the erection, supervision, &c. of the building.

They believe that the Penitentiary system is the best that human ingenuity has ever devised to reform the culprit, and graduate punishment according to the degree or enormity of crime.— And it is most earnestly recommended to the General Assembly, to give it a fair and liberal support, until its merits can be fairly tested. If well conducted, your Committee persuade themselves that its moral influence will be felt sensibly through the whole State, and that the unfortunate wretch, who has become the victim of the law, may be made, not only to cover the expenses of his punishment, but that we may also indulge the pleasing hope, that after his confinement shall have expired, he may return to the world, reformed in his principles, with habits of sober industry, which may render him a useful member of the community.

All of which is respectfully submitted

DIXON ALLEN, *Chairman.*

Ordered, that 3000 copies of said report be printed for the use of the members of this house.

Whereupon, the bill reported by Mr. Allen was read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill to regulate ordinary or tavern license, was read a second time, and amended on motion of Mr. Hurst and Mr. Brown.

And on the question "shall the bill pass," it was determined in the negative.

YEAS 16

NAYS 21

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, Messers Speaker Hing, Allen, Boddie, Carriger, Cheatham, Claiborne, Dew, Dunlap, Gillespie, Hurst, McGaughey, Alex. E. Smith, Turney, Vernon, Watkins, and Young.

Those who voted in the negative are, Messrs. Brown, Dickin-

son, Dobbins, Easley, Gordon, Gowen, James Gray, Geo. Gray, Hardin, Inge, Kincaid, Maury, McFarland, McLean, Nevins, Parris, Roberson, Rogers, Joel R. Smith and Stockton.

And so, the said bill was rejected.

A message from the Senate, by Mr. Hill, their Clerk.

Mr. Speaker.

The Senate nonconcur in the resolution of this house, providing for the appointment of a joint select committee to lay off congressional and electoral districts in conformity with the U. States census of 1830. The Senate concur in the resolution of this house appointing justices of the peace for Williamson, Fentress, Bedford and Hickman counties. The Senate have adopted a resolution appointing a justice of the peace for Maury county, in which they ask the concurrence of this House.

And then he withdrew—when

It was ordered, that said resolution be referred to the committee on justices of the peace.

On motion of Mr. Boddie,

The house resolved itself into a committee of the whole, on the condition of the state—and after some time spent therein, the Speaker resumed the chair, and Mr. Watkins reported, that the committee of the whole had had the condition of the State under consideration, and not come to any resolution thereon; and had directed him to ask leave to sit again.

Ordered, That the committee of the whole have leave to sit again on Monday next the 24th inst.

Mr. Carriger from the committee for enrolled bills; reported a resolution appointing justices of the peace for the counties of Williamson, Fentress, Bedford and Hickman truly enrolled.

The Speaker signed the said resolution.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Alex. E. Smith,

Resolved, that the committee on new counties and county lines be instructed to enquire into the justice and expediency of so altering one of the lines dividing the counties of Jefferson and Sevier, as to include the plantation of John Clendenen in the county of Sevier.

Mr. Dobbins introduced a bill to tax the retailers of spirituous liquors and to appropriate the monies arising therefrom to common schools.

Mr. McLean introduced a bill to incorporate the Somerville Female Academy; and Mr. Dunlap introduced a bill to authorize the county court of Knox to lay a tax to aid in the erection of a new court house, and for other purposes.

Which bills were severally read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

N2 House.

The following bills from the Senate were severally read the first time and passed, to wit:

A bill for the relief of the Clerk of the circuit court of Claiborne county, and a bill to authorize the register of the Hiwassee district to issue grants in certain cases.

Ordered, That the Clerk acquaint the Senate therewith.

A bill to amend an act entitled an act authorizing John Brown to open a turnpike road,

Was read a third time, and last time passed, and

Ordered, to be engrossed.

A bill for the relief of Elizabeth Casey of Rhea county; and a bill for the relief of Peter Chilcut and Augustus H. White,

Were severally read a third time and passed.

A bill to appoint commissioners on Hale's turnpike road, was read a second time and passed.

Ordered, that the Clerk acquaint the Senate therewith,

A bill from the Senate to divorce Elizabeth Walden from her husband John Walden,

Was read the first time and rejected.

A bill from the Senate to authorize a precinct election in Fentress county, was read the first time, amended on motion of Mr. Geo. Gray and passed.

Ordered, that the Clerk acquaint the Senate therewith.

On motion of Mr. Inge,

Resolved, That the treasurer of West Tennessee be instructed to furnish this house with the amount of rents and profits, arising from the school lands in West Tennessee, from the year 1825 up to the present time; specifying the amount received from each county in each year, the amount due and unpaid, the deficits of each year, if any of the agents have failed to pay over the money into the treasury, and if security has been given by the different agents as required by law; and if security has been given, whether such security is solvent or not.

A bill to establish a precinct election in Greene county and for other purposes

Was read the first time, and amended,

And on the question "shall the bill pass," it was determined in the affirmative.

YEAS 28

NAYS 7

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, Messrs. Speaker Huling, Boddie, Carriger, Dew, Dickinson, Dunlap, Easley, Gillespie, Gowen, Hardin, Hurst, Inge, Kincaid, Maury, McFarland, McGaughey, Nevins, Parris, Roberson, Rogers, Alex. E.

Smith, Joel R. Smith, Stockton, Turney, Vernon, Watkins, Wright and Young.

Those who voted in the negative are, Messrs. Brown, Cheatham, Dobbins, Gordon, James Gray, Holland and McLean.

Ordered, that the Clerk acquaint the Senate therewith.

A bill for the benefit of Henry Liggett,

Was read a second time, amended on motion of Mr. Nevins and passed.

A bill for the benefit of Carrick W. Nelson; and a bill for the benefit of the people living on Cumberland mountain in Warren county;

Were severally read a third time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

And then the House adjourned.

SATURDAY, OCTOBER 22, 1831.

Mr. M'Farland presented the county court Clerk's return of the resignation of a justice of the peace in Jefferson county.

Ordered, that said return be referred to the committee of justices of the peace.

Mr. Dunlap presented the circuit court Clerk's return of Anderson county.

Ordered, That said return be referred to the committee of Finance.

Mr. Vernon presented a petition of Mary Cornett, praying relief on account of two entries made in John Armstrong's office, together with the plat and certificate.

Ordered, That said petition and papers be referred to the committee on land claims.

Mr. Watkins presented a petition of sundry citizens of Sumner county, praying a charter for a new bridge across Cumberland river at Nashville; and a communication from Isaac Lindsay and Robert Harper, recommending a revision of the patrol laws.

Ordered, That the said petition lie on the table—and that said communication be referred to the select committee to which is referred an examination of the criminal code for the government of slaves.

Mr. Maury presented a memorial of the heirs of Daniel Wheaton and James Tisdale, with accompanying documents.

Ordered, That said memorial and documents be referred to the committee on land claims.

Mr. Cheatham presented a petition of Wm. Johnson, praying a divorce from his wife Sarah.

Ordered, That said report be referred to the committee on divorces.

Mr. Watkins, from the committee of claims, reported a bill for the benefit of Isaac Low and D. C. Chamberlain.

Which bill was read the first time and passed;

Ordered, that the Clerk acquaint the Senate therewith.

Mr. McGaughey, from the committee of propositions and grievances, reported the following bills, to wit:

A bill for the benefit of William Moore; a bill for the relief of Ann Wherry; a bill to exempt certain citizens of Humphreys county from the payment of toll at Sandy bridge; and a bill for the relief of Wm. Pope.

Which bills were severally read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Nevins, from the committee of Captains' companies and justices of the peace, reported a resolution appointing justices of the peace for Henderson county.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Dunlap from the committee on Internal Improvement, reported a bill to authorize Timothy Dotson to build a bridge across Stones river.

Which bill was read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Claiborne,

Resolved, That the treasurer of west Tennessee, be directed to report to this House, the amount of revenue collected on merchants' license for the years 1820, 1821, 1822, 1823, 1824, and 1825; and whether there was a diminution, and if so, to what amount, for the years 1822 and 1823, under the act of 1821, to equalize said tax and the cause or causes thereof; and whether merchants did not apply to the courts for relief under the law—and what was the decision of the courts upon the subject.

Mr. Inge introduced a bill to amend an act entitled an act to incorporate a medical society in the State of Tennessee; and Mr. Hatley introduced a bill for the benefit of mechanics and Physicians.

Which bills were severally read the first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill authorizing the Governor to appoint an agent to close the business of Mason Lee's devise to this State, and for other purposes—

Was read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill for the relief of the occupants south and west of the congressional reservation line; was read and amended on motion of Mr Hardin.

Mr. Gordon having made a motion further to amend the said bill, and debate arising thereon, it was.

Ordered, That said bill and amendment lie on the table until Monday next.

And then the House adjourned.

MONDAY, OCTOBER 21. 1831.

Mr. Nevins presented a petition of sundry citizens of Overton county, praying an alteration in a county line so as to include Willis Hardleston in Overton county.

Ordered, That the said petition be referred to the committee on new counties and county lines.

Mr. Allen presented a petition of Joseph Lacy, praying the passage of an act authorizing him to hawk and peddle without license.

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. Wright presented a petition for the relief Thomas Barnett—Mr. Claiborne presented a petition of sundry citizens of Nashville, praying an amendment of the act of incorporation, so as to compel the citizens of said town to vote in the wards only in which they respectively reside—and Mr. Dobbins presented a petition of Esther Ramsey, praying remuneration for losses sustained in the old Indian wars.

Ordered, that said petitions be severally referred to the committee of propositions and grievances.

Mr. James Gray presented a petition of Sally Ussery, praying a divorce from her husband, Joseph Ussery.

Ordered, that said petition be referred to the committee on divorces.

Mr. Watkins from the Committee of claims reported a bill for the benefit of Dempsey Corbet and others, and a bill for the benefit of Eliza Ditmore.

Which bills were severally read the first time and passed.

Mr. Cheatham, from the committee on military affairs, reported a bill to distribute the Infantry tactics for the use of the militia;

Which bill was read the first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Nevins from the committee of Justices of the peace, reported a resolution appointing Justices of the peace for Madison county.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith and ask their concurrence therein.

Mr. Carriger from the Committee for enrolled bills, reported an act to amend an act entitled an act to authorize John Brown to open and keep up a Turnpike road truly enrolled.

The Speaker signed the said act.

Ordered, That the Clerk acquaint the Senate therewith

Mr. Gordon introduced a bill for the preservation of decency and morality.

And Mr. McFarland introduced a bill for the benefit of Sheriffs and others, who have heretofore conveyed convicts to the Penitentiary.

Which bills were severally read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The following bills from the Senate were severally read the first time and passed, to wit:

A bill to encourage Internal Improvements. A bill to compel guardians to give new security in certain cases. A bill prescribing certain duties to the Clerks of the several Courts in this State. A bill to amend an act entitled an act for the benefit of Common Schools in this State. A bill to appropriate the taxes arising from shows to county purposes. A bill to increase the revenue of the several counties in this State. And a bill to appropriate one half of the State tax to county purposes.

Ordered, That the Clerk acquaint the Senate therewith.

A bill from the Senate to prohibit the selling of spirituous liquors in less quantities than one quart,

Was read the first time and rejected.

A bill from the Senate to repeal all laws making turf racing lawful,

Was read the first time, amended on motion of Mr. Turney, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill making compensation to certain Enterers and Grantees for their improvements, between the two Kentucky lines. A bill to authorize Justices of the peace to take bail in certain cases. And a bill to amend an act entitled an act prescribing the mode of holding elections in Knox county, passed in 1829,

Were severally read the second-time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate, by Mr. Hill their Clerk.

Mr. Speaker:—

The Senate have adopted a resolution appointing Justices of the peace for Washington county, in which they ask the concurrence of this house.

And then he withdrew.

Ordered, That said resolution be referred to the committee on Justices of the peace.

Mr. Maury from the select committee appointed to wait on Dr. Gerard Troost, and request a copy of his discourse for publication, reported that the committee had performed that service and that Dr. Troost had in compliance with the desire of this House furnished a copy of his discourse for publication.

A bill to amend and explain the law concerning elections, Was read a second time and amended on motion of Mr. Hardin, And on the question 'shall the bill pass,' it was determined in the negative.

And so the said bill was rejected.

Mr. Allen introduced the following joint resolution, to wit:

Resolved, by the General Assembly of the State of Tennessee, that this General Assembly will adjourn *sine die* on the 20th day of November next.

Ordered, That said resolution lie on the table.

On motion of Mr. Gordon,

Resolved, That the Judiciary committee be instructed to examine and report to this House by bill or otherwise, what alterations, if any are necessary to be made in the laws relating to administration, or so that provision may be made for the speedy disposition by sale of such chattles, or live stock property as may be in a perishable or losing condition, and cannot be justifiably kept without loss, untill the time now appointed by law elapses.

Mr. Allen introduced a bill to authorize females to obtain divorces in court without cost. Mr. Wright introduced a bill to authorize the Unicoy Turnpike company to enter certain lands. Mr. Turney introduced a bill to extend the town of Sparta. Mr. Nevins introduced a bill for the relief of George Wallis and Frederick Sawyers. And a bill to authorize James McKinley and Lewis Fletcher to open a Turnpike road. Mr. Hatley introduced a bill to amend the act incorporating the town of Bolivar. And a bill to authorize William Simpson to establish a toll bridge and Turnpike road across Hatchie river. Mr. Watkins introduced a bill to amend an act entitled an act to incorporate the Gallatin Turnpike company. And Mr. Claiborne introduced a bill for the benefit of Tho: H. Fletcher and Dempsey Powell.

Which bills were severally read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The House took up the bill to reduce the fees on marriage license.

Mr. Wright made a motion to amend the said bill by striking out the words, 'fifty cents,' for the purpose of inserting the words 'twenty-five cents' as the Clerk's fee for marriage license.

Mr. Boddie made a motion to divide the question, and that the question be first taken on striking out, which was agreed to by the House.

And on the question to strike out the words 'fifty cents,' it was determined in the negative.

Whereupon, on the question shall the bill pass a third time, and it was determined in the affirmative.

YEAS 27
NAYS 11

The yeas and nays being desired by the constitutional number of members,

Those who voted in affirmative are, Mr. Speaker Huling, Allen, Brown, Carriger, Dew, Dickinson, Dobbins, Dunlap, Gillespy, George Gray, Hatley, Hardin, Hurst, Kincaid, Maury, McFarland, McGaughey, McLean, Nevins, Alex. E. Smith, Joel R. Smith, Stockton, Turney, Vernon, Watkins, Wright and Young.

Those who voted in the negative are, Messrs. Boddie, Cheatham, Claiborne, Easley, Gordon, James Gray, Holland, Inge, Parris, Roberson and Rogers.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Easley introduced the following resolution, to wit:

Resolved, That no bill shall be introduced after the 10th of November, unless reported by a committee.

Ordered, That said resolution lie on the table

On motion of Mr. Dobbins,

Ordered, That the bill prescribing the mode of proving deeds executed out of this state, when the bargainer and witnesses are dead—be referred to the committee on the judiciary.

The House took up the bill to amend the militia laws of this State, and the amendment heretofore proposed thereto by Mr. Dew.

Mr. Dobbins made a motion to postpone the said bill and amendment indefinitely.

And the question being taken thereon, it was determined in the affirmative.

YEAS 29
NAYS 8

The yeas and nays being desired by the constitutional number of members.

Those who voted in the affirmative are, Messrs Speaker Huling, Boddie, Brown, Carriger, Cheatham, Claiborne, Dickinson, Dobbins, Dunlap, Easley, Gordon, Gowen, Jas. Gray, Geo. Gray, Hatley, Holland, Hurst, Inge, McFarland, McGaughey, Nevins, Parris, Roberson, Rogers, A. E. Smith, J. R. Smith, Vernon, Watkins, and Young.

Those who voted in the negative, are Messrs. Allen, Dew, Gillespie, Hardin, Kincaid, Maury, Stockton and Turney.

And so the said bill was rejected.

The House took up the bill for the benefit of John Overton—when,

The said bill was amended on motion of Mr. Claiborne, and read a second time;

And on the question 'shall the bill pass,' it was determined in the negative.

YEAS 10

NAYS 26

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, Messrs. Allen, Brown, Claiborne, Dickinson, Dobbins, Dunlap, Gillespie, Inge, Nevins, and Wright.

Those who voted in the negative are, Messrs. Speaker Huling, Carriger, Cheatham, Dew, Gordon, Gowen, James Gray, Geo. Gray, Hatley, Hardin, Holland, Hurst, Kincaid, McFarland, McGaughey, McLean, Parris, Roberson, Rogers, A. E. Smith, Joel R. Smith, Stockton, Turney, Vernon, Watkins and Young.

And so, the said bill was rejected.

A bill to authorize the Governor to appoint an agent to close the business of the late Mason Lee dec'd of S. Carolina, was read the third time, and last time passed and

Ordered, to be engrossed.

Ordered, That the sub-committee on banks have leave to sit during the sitting of the House.

Ordered, That the special order of the day be postponed until tomorrow.

A message from the Senate, by Mr. Hill their Clerk.

Mr. Speaker:—

The Speaker of the Senate did this day sign enrolled bills entitled, an act to incorporate the town of Denmark, and an act to extend the limits of the town of Jackson. And then he withdrew—when,

The Speaker signed the said acts.

Ordered, That the said acts be deposited in the office of the Secretary of State.

A bill to amend an act entitled an act to dispose of certain lands in Hawkins county—a bill to compensate jurors in the county of Sullivan—a bill to establish a new militia company in Wilson county; a bill to establish a town in the county of Greene; and a bill appointing a commissioner to receive justices' papers in Knox county;

Were severally read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Carriger, from the committee for enrolled bills, reported an act authorizing the Governor to appoint an agent to close the business of the late Mason Lee deceased, of S. Carolina, truly enrolled.

The Speaker signed the said act.

O HOUSE.

Ordered, That the Clerk acquaint the Senate therewith.

The house took up the bill from the Senate to repeal an act entitled an act to settle the controversy between the colleges and academies, and the citizens south of French Broad and Holston.

Mr. Watkins made a motion to postpone the said bill indefinitely.

And the question being taken thereon, it was determined in the affirmative.

And so the said bill was rejected.

On motion of Mr. James Gray,

Ordered, that the bill for the benefit of Richard C. Napier be referred to the committee on the Western District Lands.

A bill to establish the county of Decalb was read a second time amended on motion of Mr. Kincaid and Mr. Geo. Gray, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Dunlap,

Ordered, That the committee on Internal Improvement be discharged from the further consideration of the bill to incorporate a board of internal improvement east of Cumberland mountain; whereupon:

The said bill was read the first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill to increase the common school fund, was taken up, amended on motion of Mr. Hurst, and

Ordered, to lie on the table.

And then the House adjourned.

TUESDAY, OCTOBER 25, 1831.

The Speaker laid before the house a communication from the President of the bank of the State, in compliance with a resolution of the General Assembly of the 14th inst.

The said report was read, and ordered to lie on the table.

The Speaker also laid before the house the report of the common school commissioners of Montgomery county—and Mr. Dunlap presented the report of the common school commissioners of Anderson county

Ordered, That said reports be severally referred to the committee on education.

Mr. Gillespie presented a petition of Thomas Maxwell, praying an allowance in land for an occupant claim sold at the Hiwassee land sales.

Ordered, That said petition be referred to the committee on land claims.

Mr. Vernon presented a petition of Caleb Dabbs, praying an amendment to the act of 1829 Ch. 69, so as to change the right of occupancy from the Western District to the country south of Hiwassee river, to certain children.

Ordered, That said petition be referred to the committee on the Hiwassee lands.

Mr. Nevins presented a petition of sundry citizens of Overton and White counties, praying the removal of the present commissioner of Officer's turnpike road, and the appointment of new commissioners thereon.

Ordered, that said petition be referred to the committee on the judiciary.

Mr. Dew presented petitions of Wm. S. Swann, Jas. Lewis and Matthias Houk, severally praying the privilege of peddling without license.

Mr. Holland presented a petition of sundry citizens of Henry county, praying compensation to William Bailey, for a negro killed whilst working on the public roads. And Mr. McLean presented a petition of sundry citizens of Haywood county, praying that Robert Henderson may be made a free dealer.

Ordered, That said petitions be severally referred to the committee of propositions and grievances.

Mr. Hardin presented the return of the county court Clerk of Wayne county, of the resignation of a justice of the peace in said county.

Ordered, That the said return be referred to the committee on justices of the peace.

Mr. Claiborne presented a petition of sundry citizens of the town of Nashville, in favour of the establishment of a new bridge across Cumberland river at said town.

Ordered, That said petition lie on the table.

Mr. Nevins from the committee on justices of the peace, reported a resolution appointing justices of the peace for Jackson county.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Dunlap, from the committee of internal improvements, reported a bill to authorize David S. Shelton to build a mill dam across Sequatchee river.

Which bill was read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Brown, from the select committee to which was referred the petition of the citizens of Greene county, adverse to the tariff of duties of 1828, made a report; which was,

On motion of Mr. Turney.

Ordered, To lie on the table.

Mr. Claiborne introduced a bill to release from taxation the real estate belonging to the bank of the State of Tennessee. Mr. Vernon introduced a bill to secure the attendance of justices of the peace, for the discharge of their duties in the companies for which they were appointed; and Mr. McGaughey introduced a bill to amend an act entitled an act to establish a system of common schools in this State.

Which bills were read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate, by Mr. Hill, their Clerk.

Mr. Speaker.

The Senate concur in the resolution of this house, appointing justices of the peace for Hamilton and Madison counties. The Speaker of the Senate did this day sign an enrolled resolution, appointing justices of the peace for Sullivan county.

And then he withdrew; when, the Speaker signed the said resolution.

Ordered, That the same be deposited in the office of the Secretary of State.

On motion of Mr. Hardin.

The house took up the bill for the relief of the occupants south and west of the congressional reservation line, and for other purposes; and the amendments proposed thereto by Mr. Gordon, "securing the right of occupancy to the settlers south and west of the congressional reservation line, since the passage of the act of 1822 up to this time, for any quantity of land not exceeding 200 acres each.

Sec. 2. Occupants may obtain any good and valid warrant, which has or may be adjudicated under the provisions of this act, and lay the same on their occupancy; and also, that the holder of any adjudicated warrant or certificate, may locate the same on any vacant and unappropriated land south and west of said line, so as not to interfere with an occupant claim.

Sec. 3. Occupants to make their entries jointly or separately on a warrant of any size, provided the same is sunk in the same surveyor's office.

Sec. 4. The office for adjudicating land claims and the time for locating the same, extended to the 1st day of November, 1832.

Sec. 5. Land claims lost for the want of identification south and west of said line, prior to the year 1816, to be adjudicated.

Sec. 6. The act of 1829, which relates to the manner of proving occupant claims, continued in force.

Sec. 7. The first section of the act of 1829, in relation to the office for adjudication, revived and re-enacted."

And on the question to agree to the said amendment in lieu of the first section of the bill, it was determined in the negative.

YEAS 10
NAYS 24

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, Messrs. Speaker Huling, Allen, Cheatham, Claiborne, Dew, Dobbins, Dunlap, Maury, Rogers, and Watkins.

Those who voted in the negative, are Messrs. Brown, Carriger, Gowen, Jas. Gray, George Gray, Hatley, Hardin, Holland, Hurst, Inge, Kincaid, McFarland, McGaughey, McLean, Nevins, Parris, Roberson, A. E. Smith, J. R. Smith, Stockton, Turney, Vernon, Wright, Young.

Mr. Claiborne made a motion to amend the said bill, by adding to the end of the first section, the following proviso, to wit:

"Provided no person or persons shall be entitled to any occupant right under this act, who has or may have had any occupant right, south and west of the congressional reservation line, under any of the laws formerly in force and use in this State."

And the question being taken thereon, it was determined in the negative.

YEAS 12

NAYS 21

The yeas and nays being desired by the constitutional number of members.

Those who voted in the affirmative are, Mr. Allen, Cheatham, Claiborne, Dew, Dobbins, Easley, Gordon, Geo. Gray, Kincaid, Maury, McGaughey, and Watkins.

Those who voted in the negative are, Messrs. Speaker Huling, Brown, Carriger, Dunlap, Gillespie, Gowen, James Gray, Hatley, Hardin, Holland, Hurst, Inge, McFarland, McLean, Nevins, Parris, Roberson, Rogers, Alex. E. Smith, Joel R. Smith, Stockton, Turney, Wright and Young.

Whereupon, the said bill was read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Inge on special leave of the house, from the committee on school lands, reported a bill providing for leasing the school lands set apart for common schools, and for other purposes;

Which bill was read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill from the Senate to divorce Robert Baker from his wife Charlotte,

Was read the first time and passed.

A bill for the relief of Wm. Pope; and a bill to authorize Jas. McKinley and Lewis Fletcher to open a turnpike road, were severally read a second time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill to incorporate the Franklin and Nashville rail road company, was read a second time, amended on motion of Mr. Maury, and passed.

02 House.

Ordered, That the Clerk acquaint the Senate therewith.
 Mr. Maury introduced a bill to incorporate the Franklin and Columbia turnpike company.

Which bill was read a first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Carriger from the committee for enrolled bills, reported a resolution appointing justices of the peace for Hamilton and Madison counties, truly enrolled.

The Speaker signed the said resolution.

Ordered, that the Clerk acquaint the Senate therewith.

A message from the senate by Mr. Hill their Clerk.

Mr. Speaker—

The Speaker of the Senate did this day sign a resolution appointing justices of the peace for Henderson county, And then he withdrew; when,

The Speaker signed the said resolution; and,

Ordered, that the same be deposited in the office of the Secretary of State.

And then the House adjourned.

WEDNESDAY, OCTOBER 26, 1831.

Mr. Watkins presented a petition of sundry citizens of Sumner and Robertson counties, praying the establishment of a new bridge across the Cumberland river at Nashville; and a petition of sundry citizens of the town of Gallatin, praying that Joseph Dwyer may be authorized to retail merchandize without license.

Ordered, That the first of said petitions lie on the table, and the last of said petitions be referred to the committee of claims.

Mr. Gowen presented a memorial of Thomas Powell, praying the passage of an act authorizing him to dispose of certain property by lottery.

Ordered, That said memorial be referred to the committee of propositions and grievances.

Mr. Inge presented the report of the treasurer of West Tennessee, in compliance with a resolution of this house of the 21st inst. in relation to the school lands.

Ordered, that said report be referred to the committee on school lands.

Mr. Hatley presented the county court Clerk's return of justices of the peace in McNairy county.

Ordered, that said return be referred to the committee of captain's companies and justices of the peace.

Mr. Watkins, from the committee of claims, reported a bill for the relief of James Scarborough, without amendment.

When the said bill was read the second time and passed.

Mr. Watkins, from the same committee, made an unfavorable report upon the petition of Callen and Willie Bayless, and the resolution therein contained was nonconcurring in by the House—and,

Ordered, That said petition be recommitted to the committee of claims, with instructions to report a bill for the relief of the petitioners.

Mr. Easley from the committee on divorces, reported a bill to divorce Martin Fry and others.

Which bill was read the first time and rejected.

Mr. Inge from the committee on school lands, reported a bill to appropriate the school lands in the Hiwassee district to the use of schools for the instruction of children therein.

Which bill was read the first time and passed.

Mr. McGaughey, from the committee of propositions and grievances, reported a bill for the relief of James H. Mosely; which bill was read the first time and passed.

Mr. McGaughey, from the same committee, made a report upon the petitions of Robert Bask, Thomas Barnett and Wm. Bailey;

And the resolution therein contained, was concurred in by the house as follows, to wit:

Resolved, That the prayers of the petitioners respectively ought not to be granted.

Mr. McGaughey, from the same committee, made an unfavorable report on the petition of Joseph H. Wallace.

On motion of Mr. Inge,

Ordered, That said report lie on the table.

The House resolved itself into a committee of the whole on the condition of the state, and after some time spent therein, the Speaker resumed the chair—and Mr. Watkins reported, that the committee had made progress, but had not yet come to any resolution, and had directed him to ask leave to sit again.

Ordered, that the committee of the whole have leave to sit again on Friday next.

Mr. Vernon introduced the following resolution, to wit:

Resolved, That the Senate meet the House of Representatives in the Representatives hall, on Thursday the 3rd day of November next, for the purpose of enquiring into the propriety of recommending to the people of this State, the propriety of voting for or against the call of a convention, at the next general election.

Ordered, That said resolution lie on the table.

A bill to indemnify such counties in this state as are deprived of their revenue by the act of the 14th of Aug. 1822; and a bill explanatory of an act entitled an act to authorize the entering

and obtaining grants for any quantity of land under five thousand acres;

Were severally read a second time and passed.

Mr. Rogers introduced a bill to amend an act entitled an act to amend and reduce into one the several acts concerning the county revenue.

Mr. Turney introduced a bill authorizing Jesse Lincoln and company to open a turnpike road; and Mr. Nevins introduced a bill to establish the 17th Solicitorial District.

Which bills were severally read the first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Claiborne introduced the following resolution, to wit:

Resolved, That the rule of the house which requires that all public bills be read in the forenoon and all private bills in the afternoon, be rescinded.

Ordered, That said resolution lie on the table.

On motion of Mr. Dickinson,

Resolved, That no rule of the house shall be suspended, unless by the consent of three fourths of the members present concurring therein.

A bill from the Senate to prevent members of the General Assembly from being elected to any office created by the legislature, of which he was a member during the period for which he was elected.

Was read the first time and passed—and,

A bill to change the time of holding regimental musters, was read the second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill to amend an act entitled an act to authorize William Reynolds to open a turnpike road,

Was read a third time, amended on motion of Mr. McGaughey and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker—

The Senate have adopted a resolution appointing justices of the peace for Franklin county; and a resolution appointing justices of the peace for Davidson county; in which they ask the concurrence of this house.

And then he withdrew—when,

The house concurred in the 1st of said resolutions; and,

Ordered, That the second of said resolutions be referred to the committee of captain's companies and justices of the peace.

Mr. Geo. Gray introduced a bill for the benefit of William Gibson; Mr. Nevins introduced a bill for the benefit of Richard Locke; and, Mr. Hardin introduced a bill for the benefit of Geo. Wallis.

Which bills were severally read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill for the relief of Montgomery Irvine; and a bill to amend an act entitled an act prescribing the mode of holding elections in Knox county;

Were severally read a third time and last time passed, and

Ordered, To be engrossed.

A bill to authorize the register of the Hiwassee district to issue grants in certain cases; and a bill for the benefit of Daniel D. Forte;

Were severally read a second time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

The following bills from the Senate were severally read the first time and passed, to wit:

A bill to authorize Joel C. Dew & Co. to build a toll bridge across Falling-water in White county; a bill for the benefit of Maria Harp; and a bill to regulate the manner of receiving toll at Jetton's gate at Sandy bridge in Carroll county.

Ordered, That the Clerk acquaint the Senate therewith.

A bill to authorize a lottery for the continuation of Union street in the town of Nashville,

Was read a second time;

And on the question 'shall the bill pass,' it was determined in the affirmative.

YEAS 19

NAYS 14

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, Messrs. Allen, Brown, Carriger, Cheatham, Claiborne, Dew, Dunlap, Gowen, George Gray, Hatley, Hurst, Inge, Kincaid, McLean, Nevins, Parris, Joel R. Smith, Turney and Wright.

Those who voted in the negative are, Messrs. Speaker Huling, Boddie, Gillespie, James Gray, Hardin, McFarland, McGaughy, Roberson, Rogers, A. E. Smith, Stockton, Vernon, Watkins and Young.

Ordered, That the Clerk acquaint the Senate therewith.

The house took up the bill for the benefit of George W. Churchwell.

Mr. Dunlap made a motion to amend the said bill by striking out the words "seventy five" for the purpose of inserting the words "one hundred."

And the question being taken thereon, it was determined in the negative.

Whereupon, the said bill was read a second time, amended on motion of Mr. Turney, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Brown,

The house took up the report of the select committee of the 25th inst. on the petition of the citizens of Greene county, adverse to the tariff of duties of 1828.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker,

The Senate have taken up on its third and last reading in both houses, a bill for the relief of Garrick W. Nelson, and propose amending the same.

1st. By adding a section thereto, permitting John Walters of Smith county to pay a single tax on merchants' license for the year 1830.

2d. By adding a section thereto, releasing Heseekiah Mitchell and James Banks from the payment of \$41,66 2-3 cents on merchants' license; and,

3d. By adding a section thereto, refunding to John McEwin and the heirs of James McKamy dec'd. the sum of fifty dollars for merchants' license paid in 1826, in which they ask the concurrence of this house.

And then he withdrew.

And on the question to agree to the second amendment proposed by the Senate to the said bill, it was determined in the negative.

YEAS 2

NAYS 30

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, Mr. Dunlap and Mr. Geo. Gray.

Those who voted in the negative are, Mr. Speaker Huling, Allen, Boddie, Carriger, Cheatham, Dew, Gillespy, Gowen, James Gray, Hatley, Hardin, Holland, Hurst, Inge, Kincaid, McFarland, McGaughey, McLean, Nevins, Parris, Roberson, Rogers, Alex. E. Smith, Joel R. Smith, Stockton, Turney, Vernon, Watkins, Wright and Young.

Whereupon the balance of said amendments were disagreed to by the House, and;

Ordered, That the Clerk acquaint the Senate therewith.

And then the House adjourned.

THURSDAY, OCTOBER 27, 1831.

The Speaker laid before the House a Report from the Treas-

urer of West Tennessee in compliance with a resolution of this House of the 22d inst, in relation to the revenue.

Ordered, That said report be referred to the committee of Finance.

Mr. Nevins presented a petition of sundry citizens of Jackson county, praying amendments to the Militia laws, so as to give four company musters in the year, and a drill preceding each Battalion muster. And a petition of sundry citizens of Overton county, praying the passage of an act authorizing Benjamin Brown to hawk and peddle without license.

Ordered, That the first of said petitions be referred to the committee on military affairs, and the second of said petitions to the committee of Propositions and grievances.

Mr. Claiborne presented a petition of Jesse R. Faulkner, praying the passage of an act, authorizing him to hawk and peddle without license.

Ordered, That said petition be referred to the committee of Propositions and grievances.

Mr. Maury presented a petition of Peter N. Smith and others, praying the passage of an act authorizing the sale of certain mortgaged property.

Ordered, That said petition be referred to the committee on the Judiciary.

Mr. Easley from the committee on Divorces, made a Report upon the petitions of Nancy Greer and John Davenport, and the resolution therein contained, was concurred in by the House as follows, to wit:

Resolved, That the prayer of the petitioners respectively ought not to be granted.

Mr. Watkins from the committee of claims, reported a bill for the relief of Cullen and Willie Bayless.

Which bill was read the first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Nevins from the committee of Captains' companies and Justices of the Peace, reported the Senate's resolution appointing Justices of the peace for Davidson county, without amendment.

When the said resolution was read and concurred in by the House.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Nevins from the same committee reported a resolution appointing Justices of the peace for Claiborne county.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. McGaughey from the committee of propositions and grie-

vances reported a bill to amend the several laws incorporating the town of Nashville. Which bill was read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. McGaughey,

Ordered, That the committee of Propositions and grievances, be discharged from the further consideration of so much of the Governor's message as relates to tavern license and retailing spirituous liquors.

Mr. Carriger from the committee for enrolled Bills reported an act for the relief of Montgomery Irvine, and an act to amend an act, passed the 13th of January, 1830, prescribing the manner of holding elections in Knox county, truly enrolled.

The Speaker signed the said acts.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Brown from the select committee to which was referred the petition of the citizens of Greene county, opposed to the re-chartering of the Bank of the United States, made a report, which was read, and,

On motion of Mr. Allen,

Ordered to lie on the table.

Mr. McLean from the committee on the Western District land reported a bill for the benefit of Isaac West, and for the encouragement of Iron Works.

Which bill was read the first time and passed.

Mr. McLean from the same committee reported the bill for the benefit of Richard C. Napier, without amendment.

Whereupon the said bill was read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Dickinson introduced a bill providing for the more faithful discharge of public trusts, connected with the collection and disbursements of the revenue of the State, and for other purposes; and,

Mr. Turney introduced a bill to repeal the act of 1827, ch. 31.

Which bills were severally read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill providing for the leasing of lands which have been set apart for common schools and for keeping common English schools on the same; and a bill to appropriate the school lands in the Hiwassee district to the use of schools for the instruction of children therein;

Were severally read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker.

I am directed to deliver to this House the resignation of Wm. Seawell as a justice of the peace for Wilson county.

And then he withdrew; when the said resignation was read and accepted.

A bill to compensate jurors in the county of Sullivan, a bill for the relief of William Pape, a bill to establish a town in the county of Henry, a bill to amend an act extending the corporation of the town of Brownsville, and a bill to appoint a commissioner on Hale's Turnpike road,

Were severally read the third time and passed.

A bill from the Senate to amend an act authorizing a lottery for the benefit of Covington Academy, and a bill for the relief of the Covington Sentinels,

Were severally read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill for the relief of John R. Charter,

Was read the third time amended on motion of Mr. Wright, and passed.

A bill to authorize Timothy Dotson to build a bridge across Stone's River, a bill to exempt certain citizens from the payment of toll at Sandy Bridge, a bill to amend an act authorizing Allen McDonald to open a turnpike road, a bill to repeal an act for the benefit of Jotham Brown of Greene county, a bill for the benefit of John Sharp, a bill to authorize the Treasurer of East Tennessee to pay certain monies, and a bill to authorize the county court of Tipton to appropriate certain monies to the building of a court house,

Were severally read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill to incorporate the Tennessee manufacturing company, was read a second time amended on motion of Mr. Maury, and passed.

And a bill to amend an act incorporating the Nashville and Franklin Turnpike company,

Was read a second time, amended on motion of Mr. Claiborne, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The bills to divorce Joab Brooks, Andrew Hodges, Evelina Ball and others,

Were severally read a second time and rejected.

A bill for the relief of Joel L. Stone and others, was taken up by the House, and amended.

When debate arising on the provisions of the bill, it was

Ordered That Mr. Hardin have leave to withdraw the said bill for further amendment.

And then the House adjourned.

P. House.

FRIDAY, OCTOBER 28, 1831.

Mr. Claiborne presented a petition of sundry citizens of Davidson county, praying the establishment of a new bridge at Nashville.

Ordered, That said petition lie on the table.

Mr. Inge presented a report from the President of the Nashville bridge company, in compliance with a resolution of this House of the 19th inst.

Ordered, That said report lie on the table.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker.

The Senate concur in the resolutions of this House appointing Justices of the Peace for the counties of Claiborne and Jackson.

The Senate have adopted,

1st. A resolution directory to the President and Directors of the Bank of the State of Tennessee.

2nd. A resolution authorizing the keeper of the Penitentiary to admit visitors to the interior thereof, according to his own discretion.

3d. A resolution appointing Justices of the peace for the county of Weakley, in which they ask the concurrence of this House.

And then he withdrew;

When, the first and second of said resolutions were agreed to by the House, and,

Ordered, That the third of said resolutions be referred to the committee of Captains' companies and Justices of the peace.

Mr. McLean presented a petition of Stephen Eacey, for a land Warrant.

Ordered, That said petition be referred to the committee on land claims.

Mr. Easley from the committee on Divorces, made a report on the petitions of Nancy Close and Margaret Watson, and the resolution therein contained was concurred in by the House as follows, to wit:

Resolved, That the prayers of the petitioners respectively ought not to be granted.

Mr. McGaughey from the committee of Propositions and grievances, made a report upon the petition of Esther Ramsey.

And the resolution therein contained, was concurred in by the house as follows, to wit:

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Nevins from the committee of Captains' companies and Justices of the peace, reported a resolution appointing Justices of the peace for the counties of Maury, Hamilton, and McNairy.

And the question being taken on agreeing thereto it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith and ask their concurrence therein.

On motion of Mr. Claiborne,

Ordered, That the committee of Finance be discharged from the further consideration of the bill to equalize the tax on merchants and others; and that said bill lie on the table.

Mr. Brown from the committee on the Judiciary, reported a bill to authorize Peter N. Smith to dispose of certain property. Mr. McLean from the committee on the Western District lands, reported a bill to set apart 25 acres of land for a school house in Henderson county. And Mr. Wright from the committee on the Hiwassee lands, reported a bill for the benefit of Thomas Blake.

Which bills were severally read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill to encourage the manufacture of Iron was read a second time, amended on motion of Mr. Carriger and passed.

Ordered. That the Clerk acquaint the Senate therewith.

Mr. Turney introduced the following resolution, to wit:

Resolved, That the Senate meet the House of Representatives on the 17th of November, for the purpose of electing a Judge of the Supreme court, in the place of Judge Catron resigned.

Ordered, That said resolution lie on the table.

Mr. Nevins introduced a bill to render the lands lying between Walker's line and the true line of 36 degrees 30 north subject to taxation. And Mr. Alex. E. Smith introduced a bill for the benefit of securities in cases of Peace warrants.

Which bills were severally read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill to compensate Justices of the peace for certain services. Was read a second time and rejected.

A bill to suppress open and notorious lewdness,

Was read a second time and passed.

A bill providing for the leasing of lands which have been set apart for Common Schools in middle Tennessee, a bill to appropriate the school lands in the Hiwassee district to the use of schools therein; and a bill for the relief of the occupants south and west of the Congressional reservation line,

Were severally read a third time amended and passed.

Ordered, that the Clerk acquaint the Senate therewith.

The House resolved itself into a committee of the whole on the condition of the State, and after some time spent therein, the Speaker resumed the chair, and Mr. Watkins reported that the committee had made progress, but had not as yet come to any resolution thereon, and had directed him to ask leave to sit again.

Ordered, that the committee of the whole have leave to sit again on Monday next.

Mr. Gordon introduced a bill for the benefit of Joseph Davey,

and Mr. Hurst introduced a bill to incorporate a Female Academy at Athens.

Which bills were severally read the first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill to prevent the destruction of fish by poison, was read a second time, amended and rejected.

A message from the Senate, by Mr. Hill their Clerk.

Mr. Speaker:—

The Speaker of the Senate did this day sign an enrolled bill entitled an act for the relief of Peter Chilcut and Augustus H. White.

And then he withdrew.

When the Speaker signed the said act and

Ordered, that the same be deposited in the office of the Secretary of State.

A bill from the Senate to divorce Noah Miller from his wife Aley,

Was read the first time and rejected.

A bill for the benefit of Hugh McIntyre, a bill to authorize the Register of Carroll county to keep his office at his own house, a bill for the relief of the heirs of James Taylor, sen. dec'd, a bill to establish a precinct election in Greene and other counties, a bill appointing the time of holding the Regimental musters in the 99th and — Regiments, a bill to incorporate the town of Cornerville, a bill for the benefit of Joseph Brown, a bill for the benefit of the Quorum Court of Williamson county, and for other purposes, amended on motion of Mr. Easley, and passed.— A bill for the benefit of the Clerk of the circuit court of Claiborne county, and for other purposes, a bill to authorize a precinct election in Fentress county, and for other purposes, a bill to amend an act passed in 1829, ch. 52, a bill for the relief of Albert Thomas, a bill to incorporate the town of Randolph, a bill for the relief of Sally Martin, and a bill to authorize Amos Marney to open a Turnpike road,

Were severally read the second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill to incorporate the Trustees of Brownsville academy in the county of Haywood; and a bill to exempt the militia of the 58th regiment in the county of Morgan, from attending battalion musters;

Were severally read a third time and passed.

Ordered. That the Clerk acquaint the Senate therewith.

And then the house adjourned.

SATURDAY, OCTOBER 29, 1831.

Mr. Wright presented a petition of John Dyer of Monroe county for the purposes therein named—and Mr. Nevins presented a petition of sundry citizens of Jackson county, praying the passage of an act to authorize John H. Hutchinson to hawk and peddle without license.

Ordered, That said petitions be severally referred to the committee of propositions and grievances.

Mr. Maury presented a petition of Elizabeth Ballard praying for a divorce.

Ordered, That said petition be referred to the committee on Divorces.

Mr. McGaughey from the committee of propositions and grievances, reported a bill for the relief of James Drennen of Wilson county.

Which bill was read the first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Nevins from the committee of Justices, reported a resolution appointing justices of the peace for the counties of Wilson, Weakley and Hawkins.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Carriger from the committee for enrolled bills, reported a resolution appointing justices of the peace for the counties of Jackson and Claiborne, truly enrolled.

The Speaker signed the said resolution;

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Cheatham from the committee on military affairs, reported a bill to establish a separate battalion in the county of Haywood, and for other purposes, with amendments; which were read and agreed to by the house.

Whereupon, the said bill was read a third time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Inge introduced a bill to appoint a Geologist, Mineralogist and Assayer for the state of Tennessee. And Mr. Hatley introduced a bill to prevent the delay of justice, and to prevent appeals from the county to the circuit courts in certain cases.

Which bills were severally read a first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Young introduced the following resolution, to wit:

Resolved, That the Senate meet the House of Representatives on the 8th day of November, for the purpose of electing a Chancellor for the western division

P2 House.

Ordered, That the said resolution lie on the table.

Mr. Cheatham introduced a resolution appointing justices of the peace for the county of Robertson;

And the rule of order in this case being suspended by concurrence of three fourths of the members present; and the question being taken on agreeing to the said resolution, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

A message from the senate by Mr. Hill their Clerk.

Mr. Speaker—

The Senate have adopted a resolution appointing justices of the peace for Giles county, in which they ask the concurrence of this house.

And then he withdrew—when,

The question was taken on agreeing to the said resolution, and determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith.

The house took up the bill to reduce the salaries of the Judges of the circuit and supreme courts.

Mr. Maury made a motion to postpone the said bill indefinitely.

And the question being taken thereon, it was determined in the negative.

YEAS 15

NAYS 23

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, Messrs. Boddie, Brown, Dew, Dickinson, Dobbins, Dunlap, Gillespie, George Gray, Halley, Hardin, Holland, Inge, Maury, Wright, and Young.

Those who voted in the negative are, Messrs. Speaker Huling, Allen, Carriger, Cheatham, Claiborne, Easley, Gordon, Gowen, James Gray, Hurst, Kincaid, McFarland, McGaughey, McLean, Nevins, Parris, Roberson, Rogers, A. E. Smith, Joel R. Smith, Stockton, Turney and Vernon.

Ordered, That the said bill lie on the table.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker—

The Speaker of the Senate did this day sign a resolution appointing justices of the peace for the county of Giles. And then he withdrew—when,

The Speaker signed the said resolution; and

Ordered, That the same be deposited in the office of the Secretary of State.

And then the House adjourned.

MONDAY, OCTOBER 31, 1831.

The Speaker laid before the house a communication in writing from John W. M. Breazeale Esq. touching certain work, labour, and expenditures of money, upon the Boiling Pot, Suck, and Tumbling Shoals in the Tennessee river, by Dr. John C. Haley of Roane county; and Mr. Stockton presented a like communication from Dr. Haley.

Which were severally read, and

Ordered, to be referred to the committee on Internal Improvements.

Mr. McFarland presented a petition of Saml. Box, praying that certain monies may be refunded to him.

Ordered, That said petition be referred to the committee on claims.

Mr. Joel R. Smith presented a petition of sundry citizens of Gibson and Carroll counties, praying amendments to the militia laws.

Ordered, that said petition be referred to the committee on military affairs.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker,

The Senate have adopted 1st, a resolution directory to the sub-committee on banks; 2d, a resolution appointing justices of the peace for Tipton county, in which they ask the concurrence of this house.

And then he withdrew; when,

The first of said resolutions was nonconcurrent in, and the second of said resolutions concurred in by the house.

Mr. Easley from the committee on divorces, made a report upon the petitions of Wm. Johnson and Sally Essey: and the resolution therein contained was concurred in by the house as follows, to wit:

Resolved, that the prayers of the petitioners respectively ought not to be granted.

A bill to compel constables to pay a poll tax, was read a third time, and last time passed, and

Ordered, to be engrossed.

A bill from the Senate for the benefit of Garnishees, was read the first time and passed.

A bill to provide for the taking of the enumeration of the free male inhabitants of this State,

Was read a second time and passed.

And a bill making compensation to certain enterers and grantees for their improvements between the two Kentucky lines.

Was read a third time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Young,

The house took up the resolution heretofore introduced by him providing for the election of a chancellor for the western division; and the said resolution was modified, so as to read as follows, to wit:

Resolved, That the Senate meet the House of Representatives on the 4th day of November, for the purpose of electing a chancellor for the western division.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker.

The Speaker of the Senate did this day sign an enrolled bill entitled an act providing for the leasing of the lands, which have been set apart for common schools, and for the keeping of common English schools on the same in middle Tennessee.

And then he withdrew; when,

The Speaker signed the said act; and,

Ordered, That the same be deposited in the office of the Secretary of State.

A bill to authorize the sheriff of Hardeman county to pay over certain monies,

Was read a second time, amended on motion of Mr. Hatley, and passed.

A bill to establish a third battalion in the 82d regiment; a bill to authorize the construction of a bridge across Cumberland river at Nashville, above the mouth of broad street; and,

A bill for the benefit of Wm. Moore;

Were severally read a second time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Watkins introduced a bill for the benefit of Elizabeth C. Bell; Mr. Dunlap introduced a bill to establish an independent volunteer company in Knoxville; Mr. Hatley introduced a bill to alter the time of holding the regimental muster in the 112th regiment. Mr. Gordon introduced a bill for the relief of persons who may be injured by the loss of papers, on account of the hurricane at Charlotte in 1830, and a bill for the benefit of Aaron Lancaster. Mr. Claiborne introduced a bill for the benefit of Montgomery Bell. Mr. Brown introduced a bill to authorize Elijah Anthony to build a mill; and Mr. Hardin introduced a bill for the benefit of James Boyd.

Which bills were severally read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Bills from the Senate of the following titles, to wit:

A bill for the benefit of Overton county—A bill to incorporate the town of Troy—A bill to amend an act to compel the commissioners of the town of Lawrenceburg to appropriate certain monies to county purposes—A bill for the benefit of Nancy McClanahan—a bill to change the time of holding the county courts of Henderson county—a bill for the benefit of the personal representatives and legal heirs of John McEwen and James McKamey dec'd. A bill for the benefit of the purchasers of lots in the town of Sommerville—and a bill for the relief of Henry Matlock, were severally read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill for the benefit of Nathaniel B. Butler,

Was read a third time, amended on motion of Mr. Easley and passed.

A bill for the benefit of Geo. W. Churchwell and Nathan Haggard—a bill to establish a town in the county of Greene—a bill to establish a new militia company in the county of Wilson—and a bill appointing a commissioner to receive justices papers in Knox county;

Were severally read a third time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Bills from the Senate of the following titles, to wit:

A bill for the benefit of John Grayson—and a bill for the benefit of Wm. Eaton—were severally read the first time and rejected.

A bill to enable the citizens of Dickson county to build a court house and for other purposes.

Was read a third time amended on motion of Mr. Claiborne, and passed—and;

A bill for the benefit of Jesse Savage,

Was read a third time, amended on motion of Mr. Vernon, and passed.

Ordered, that the Clerk acquaint the Senate therewith.

On motion of Mr. Joel R. Smith,

Ordered, That the bill to divorce Robert Baker from his wife Charlotte, be referred to the committee on divorces.

And then the House adjourned.

TUESDAY, NOVEMBER 1, 1831.

The Speaker laid before the house the resignations of Wm. H. Mashall and J. J. Williams as justices of the peace for the county of Montgomery.

Which were severally read and accepted.

Mr. Stockton presented a petition of sundry citizens of Roane

county, praying a turnpike charter to Francis Ellis and Willia Steer.

Ordered, that said petition be referred to the committee on internal improvements.

Mr. Hurst presented a petition of Matthew Kelly, praying satisfaction for an occupant preference in the Hiwassee District.

Ordered, That said petition be referred to the committee on the Hiwassee lands.

Mr. Daw presented a petition of James Crutchfield, praying the privilege to hawk and peddle without license—and Mr. Maury presented a petition of Abram J. White, praying the privilege to hawk and peddle without license.

Ordered, That said petitions be severally referred to the committee of propositions and grievances.

Mr. McGaughey from the committee of propositions and grievances, made a report upon the petition of John Dyer, and the resolution therein contained was concurred in by the house as follows, to wit:

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Cheatham from the committee on military affairs made a report upon the petition of the citizens of Gibson and Carroll counties, praying amendments to the militia laws.

And the resolution therein contained, was concurred in by the House as follows, to wit:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Carriger from the committee for enrolled bills, reported a bill entitled an act, to compel constables to pay a poll tax and to work on public roads, truly enrolled.

The Speaker signed the said act.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Watkins from the committee of claims, made a report upon the petition of Samuel Box.

And the resolution therein contained, was concurred in by the House as follows, to wit:

Resolved, That the prayer of the petitioner ought not to be granted.

On motion of Mr. Gillespy,

Ordered, That the committee on Internal Improvement be discharged from the further consideration of the communications of John W. M. Breazeale, Esq. and Doct. John C. Haley, and that the said communications be sent to the Senate.

A message from the Senate, by Mr. Hill, their Clerk.

Mr. Speaker.

The Senate concur in your resolution appointing Justices of

the peace for the counties of Maury, Wilson, Weakley, Hawkins, and Robertson.

The Senate have adopted,

1st. A resolution appointing a Justice of the Peace for Sullivan county.

2nd. A resolution appointing a joint select committee on the report of the Hon. Charles F. Keith.

The Senate have taken up,

1st. A bill to appropriate the school lands in the Hiwassee district.

2nd. A bill to authorize a lottery for the continuation of Union street in Nashville, and propose amendments thereto in which they ask the concurrence of this house.

The Speaker of the Senate did this day sign an enrolled resolution appointing Justices of the peace for the county of Davidson. And then he withdrew.

When the Speaker signed the said resolution, and

Ordered, That the same be deposited in the office of the Secretary of State.

Whereupon, the house concurred in the first and second resolutions contained in said message.

Whereupon the house took up the Senate's amendment to the first bill contained in said message, to wit: Add the words "and agents." after the words "school lands," in the 10th section.

And the question being taken on agreeing thereto, it was determined in the negative.

YEAS 14

NAYS 24

The yeas and nays being desired by the constitutional number of members.

Those who voted in the affirmative are, Mr. Speaker Huling, Beddie, Brown, Dobbins, Easley, James Gray, McFarland, McGaughey, Roberson, Rogers, Alex. E. Smith, Turney, Watkins, and Young.

Those who voted in the negative are, Messrs. Allen, Carriger, Cheatham, Claiborne, Dew, Dickinson, Dunlap, Gillespy, Gordon, Gowen, Geo. Gray, Hatley, Hardin, Holland, Hurst, Kincaid, Maury, McLean, Nevins, Parris Joel R. Smith, Stockton, Vernon and Wright.

The Senate's amendment to the second bill contained in said message was then disagreed to by the house, and,

Ordered, That the Clerk acquaint the Senate therewith.

When Mr. Wright, Mr. Hurst, Mr. Vernon, Mr. Brown, and Mr. Dickinson, were appointed to be of the joint select committee on the report of the Hon. Charles F. Keith.

The two houses assembled in the Hall of this house, for the purpose of electing a Solicitor General of the 12th district.—

And on collecting and counting out the ballots a fifth time it appeared that Alexander M. Hardin, Esq. of Maury county, was duly elected.

Whereupon, the speaker and members of the Senate withdrew.

Mr. Young introduced a bill to suppress the passing of Treasury notes and change tickets—Mr. Stockton introduced a bill for the relief of the citizens of Anderson and Morgan counties—Mr. Turney introduced a bill for the benefit of James Young, and a bill to amend an act entitled an act to authorize Moses Fisk to open a turnpike road—Mr. Hurst introduced a bill to authorize Dr. John M. Neal and Wm. Thompson of McMinn county, to raise \$25,000 by lottery—Mr. Geo. Gray introduced a bill for the benefit of Thomas L. Gray of Haywood county—Mr. Gordon introduced a bill for the benefit of Field Farrar—Mr. Hatley introduced a bill for the benefit of McNairy county, and a bill to change the time of holding the courts therein mentioned—and Mr. Roberson introduced a bill for the benefit of the Sam Houston and Lafayette academies.

Which bills were severally read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The house took up the bill to authorize Joel L. Stone and others to hawk and peddle without license.

Mr. Stockton made a motion to amend the said bill by striking out the whole thereof from the words "A bill for the purpose of inserting a provision empowering the county courts to grant licences to persons to retail dry goods and groceries (ardent spirits excepted) who may stand in need of such aid.

Which amendment was amended on motion of Mr. McGaughey, by adding a provision thereto, that any license granted by the county court should be renewed from year to year at the discretion of the court; and that no license should be granted, unless the applicant was poor and stood in need of the aid of public charity.

Whereupon, the question was taken on agreeing to the said amendment as amended, and determined in the affirmative.

YEAS 32

NAYS 1

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are Messrs. Speaker Halling, Allen, Boddie, Brown Carriger, Cheatham, Dew, Dobbins, Dunlap, Gillespie, Gordon, Gowen, James Gray, George Gray, Hatly, Hardin, Holland, Hurst, Inge, Kincaid, Maury, McFarland, McGaughey, McLean, Nevins, Parris, Roberson, Alex. R. Smith, Joel R. Smith, Stockton, Turney and Watkins.

Those who voted in the negative are, Messrs. Claiborne, Early, Rogers and Wright.

Whereupon the said bill was read a second time and passed.

A bill to incorporate the Franklin rail road company, was read a third time, amended on motion of Mr. Maury and passed.

A bill to improve the navigation of Obed's river in Overton and Fentress counties,

Was read a second time, amended on motion of Mr. Turney, and passed.

Ordered, that the Clerk acquaint the Senate therewith.

And then the House adjourned.

WEDNESDAY, NOVEMBER 2, 1831.

The Speaker laid before the house a petition of sundry citizens of Montgomery county, praying an appropriation to the improvement of the navigation of Cumberland river—and a petition of sundry citizens of Montgomery county and the town of Clarksville, praying a rail road charter.

Ordered, That the first of said petitions be sent to the Senate, and the last of said petitions be referred to the committee on internal improvements.

Mr. Young presented a petition of sundry citizens of Hawkins and Sullivan counties, praying amendments to the laws for the government of slaves; and a petition of Joseph Hicks, jailor of Hawkins county, praying compensation for keeping William Crutchfield.

Ordered, That the first of said petitions be referred to the select committee appointed to revise the criminal code for the government of slaves; and the last of said petitions to the committee of propositions and grievances.

Mr. Stockton presented a communication from R. A. Brown, asking a reduction of tax on the Cumberland turnpike road.

Ordered, That (said) communication be referred to the committee of Finance.

Mr. Vernon presented a petition of Benjamin Black, praying a divorce from his wife Susanah; and a petition of Jno. Thompson praying the issuance of a land warrant.

Ordered, That the first of said petitions be referred to the committee on divorces, and the last of said petitions to the committee on land claims.

Mr. James Gray presented a petition for the appointment of justices of the peace for Humphreys county; and a petition of Samuel H. Davidson, praying the passage of an act granting him a new trial in the case of Saml. P. McFall vs. Saml. H. Davidson.

Ordered, That the first of said petitions be referred to the com-

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mittee on justices; and the last of said petitions to the committee on the judiciary.

Mr. Easley, from the committee on divorces, reported a bill to divorce Robert Baker from his wife Charlotte, without amendment, and recommended to the house the passage of the bill.

Whereupon the said bill was read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Carriger, from the committee for enrolled bills, reported a resolution appointing justices of the peace for the counties of Wilson, Weakley, Hawkins, Robertson and Maury, truly enrolled.

The Speaker signed the said resolution.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. McLean

Resolved, That the committee on the Mississippi line be instructed to enquire into the expediency of authorizing the Governor to appoint a fit person to ascertain the line of the 35th degree of North latitude—and of making the necessary appropriation to carry the same into effect.

A bill to tax the retailers of spirituous liquors, and to appropriate the money arising therefrom to common schools, was read a second time and amended on motion of Mr. McGaughey.

And on the question shall the bill pass, it was determined in the affirmative.

YEAS 26

NAYS 13

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are Messrs. Speaker Huling, Allen, Brown Carriger, Claiborne, Dobbins, Dunlap, Gillespie, Gordon, Hatly, Hardin, Hurst, Kincaid, Maury, McGaughey, McLean, Nevins, Parris, Rogers, Alex. E. Smith, J. R. Smith, Stockton, Turney, Vernon, Wright and Young.

Those who voted in the negative are, Messrs. Boddie, Cheatham, Dew, Dickinson, Easley, Gowen, James Gray, Geo. Gray, Holland, Inge, McFarland, Roberson, and Watkins.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker.

I am directed to deliver to this house the resignation of John Robinson, as a justice of the peace for Tipton county. The Speaker of the Senate did this day sign an act to appropriate the school lands in the Hiwassee district, to the use of schools for the instruction of children therein—and a resolution appointing a justice of the peace for Sullivan county.

And then he withdrew; when;

The Speaker signed the said act and resolution.

Ordered, that the same be deposited in the office of the Secretary of State.

On motion of Mr. Alex. E. Smith,

Resolved, That the Governor be requested to communicate to this house, the number of public arms owned by the State and their condition, quality and place of deposit.

On motion of Mr. Kincaid,

Resolved, That the President and directors of the Bank of the state of Tennessee, report to this house the names of the overcheckers in said Bank, of such sums as make the aggregate amount of \$89,000, as comprised in the general report made by said Bank at the present session—distinguishing in said report, between the overcheckers who had been regular depositors in said bank, and such as were not, and also those who had no deposits at the time.

On motion of Mr. Claiborne,

Resolved, That the rule of this house requiring bills of a general character to be read and considered in the forenoon and bills of a local character in the afternoon of each day, be rescinded.

On motion of Mr. Allen,

Resolved, That the House will stand adjourned during the hours of the sitting of the court of impeachment; provided however, the business of the morning and the introduction of bills in this house, and considering and passing the Senate's bills on their first reading, may progress during said hours.

Mr. Kincaid introduced a bill concerning trustees—Mr. Geo. Gray introduced a bill providing for the removal of obstructions in Elk river. Mr. Brown introduced a bill to authorize the Register to issue a certain grant. Mr. Roberson introduced a bill to amend the laws regulating Saml Harris' turnpike road—Mr. Maury introduced a bill for the benefit of the Judge of the 4th circuit—and Me. Dunlap introduced a bill to extend the limits of the corporation of Knoxville.

Which bills were severally read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Alex. E. Smith introduced a bill to prevent the corrupting and demoralizing of slaves.

Ordered, That said bill be referred to the select committee appointed to revise the criminal code for the government of slaves.

Bills from the Senate of the following titles, to wit:

A bill to appoint trustees for Mount Cumberland academy—a bill to appoint Solicitors General for each county in this State—a bill to provide for the appointment of county surveyors for the counties of Monroe and McMinn;

Were severally read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill from the Senate to incorporate the big Hatchie turnpike company,

Was read the 1st time, amended on motion of Mr. Brown and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Turney made a motion to take up the resolution providing for the election of a judge of the supreme court on the 17th inst.

And the question being taken thereon, it was determined in the negative.

On motion of Mr. Claiborne,

The house took up the bill to reduce the salaries of the judges of the supreme and circuit courts to one thousand dollar.

Mr. Claiborne made a motion to amend the said bill, by striking out the second section which provides for the reduction of the salaries of the circuit judges to \$1,000 per annum.

And the question being taken thereon, it was determined in the negative.

YEAS 16

NAYS 22

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, Messrs. Speaker Huling, Allen, Brown, Cheatham, Claiborne, Dew, Dobbins, Dunlap, Gillespie, Gordon, Gowen, George Gray, McLean, Joel R. Smith, Watkins and Young.

Those who voted in the negative are, Messrs. Boddie, Carriger, Dickinson, Easley, James Gray, Hatley, Hardin, Holland, Hurst, Inge, Kincaid, Maury, McFarland, McGaughey, Nevins, Parris, Roberson, Rogers, A. E. Smith, Stockton, Turney and Vernon.

Mr. Boddie made a motion to strike out the enacting clause of the bill.

And the question being taken thereon, it was determined in the negative.

YEAS 15

NAYS 24

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, Messrs. Boddie Brown, Dew, Dickinson, Dobbins, Dunlap, Gillespie, George Gray, Hatley, Holland, Inge, Kincaid, Maury, Joel R. Smith and Young.

Those who voted in the negative are; Messrs. Speaker Huling, Allen, Carriger, Cheatham, Claiborne, Easley, Gordon, Gowen, James Gray, Hardin, Hurst, McFarland, McGaughey, McLean, Nevins, Parris, Roberson, Rogers, A. E. Smith, Stockton, Turney, Vernon, Watkins and Wright.

Mr. James Gray made a motion to amend the said bill by striking out the words "one thousand dollars" as the salaries of the circuit judges per annum, for the purpose of inserting in lieu thereof the words "eleven hundred dollars."

And the question being taken thereon, it was determined in the negative.

YEAS 11

NAYS 28

The yeas and nays being desired by the constitutional number of members.

Those who voted in the affirmative are, Messrs. Speaker Huling, Allen, Cheatham, Claiborne, Dew, Gordon, James Gray, McLean, Joel R. Smith, Watkins and Young.

Those who voted in the negative are, Messrs. Boddie, Brown, Carriger, Dickinson Dobbins, Dunlap, Easley, Gillespie, Gowen, Geo. Grey, Hatley, Hardin, Holland, Hurst, Inge, Kincaid, Maury, McFarland, McGaughey, Nevins, Parris, Roberson, Rogers, Alex. E. Smith, Stockton, Turney, Vernon and Wright.

Mr. Kincaid made a motion to amend the said bill by inserting the words "and chancellors" after the words "circuit judges," in second section, so as likewise to reduce the salaries of the chancellors from fifteen hundred to one thousand dollars per annum.

And the question being taken thereon, it was determined in the affirmative.

When debate arising in the further consideration of said bill, and pending which,

The following message was received from the Senate by Mr. Hill their clerk.

Mr. Speaker.

The Senate have resolved themselves into a court of impeachment, and are now ready to proceed with the trial of Judge Haskell, and request the attendance of the managers on part of this house.

And then he withdrew.

And then the House adjourned.

THURSDAY, NOVEMBER 3, 1831.

Mr. Stockton presented certain resolutions and instructions from a meeting of the citizens of Roane county, in favor of the re-election of general Andrew Jackson to the Presidency a second term, and in relation to the tariff of duties and the bank of the United States.

The said paper was read at the Clerk's table, and

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Ordered, to be sent to the Senate.

Mr. Roberson presented a petition of sundry citizens of Bledsoe, Morgan, Roane, White and Pentress counties, praying the establishment of a new county.

Ordered, That said petition be referred to the committee of new counties and county lines.

Mr. Claiborne presented a petition of Mary Sanders, praying for a divorce.

Ordered, That said petition be referred to the committee on divorces.

Mr. Dobbins presented a petition of John Crothwait, praying the privilege to retail merchandize and articles of traffic without license.

Ordered, that said petition be referred to the committee of propositions and grievances.

Mr. Gordon from the committee on land claims made a report upon the petition of Mary Cornett and the resolution therein contained, was concurred in by the house as follows, to wit:

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Gordon, from the same committee, reported a bill for the benefit of the heirs of Daniel Wheaton and James Tisdale—and Mr. McGaughey from the committee of propositions and grievances, reported a bill for the benefit of Unice Cummings.

Which bills were severally read the first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Boddie from the committee on education, reported the bill to create a fund in each county for the use of common schools without amendment, and recommended to the house the passage of the bill.

Whereupon, the said bill was read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. McLean, from the committee on the Western District Lands, reported a bill for the benefit of James Vincent—and Mr. Dew from the committee on usury and exchange, reported a bill to regulate the discount on negotiable paper.

Which bills were severally read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Nevins, from the committee on justices of the peace, reported a resolution appointing justices of the peace for the counties of Montgomery and Stewart.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Easley from the committee on divorces, made a report upon the petition of Elizabeth Ballard; and the resolution therein

contained was concurred in by the house as follows, to wit:

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Easley, from the same committee made a favorable report upon the petition of Elizabeth Hurst.

On motion of Mr. Parris,

Ordered, That said report lie on the table.

Mr. Wright from the committee on the Hiwassee lands, made a report upon the petitions of Caleb Dobbs, Thomas Cox, and Jno. and Wm. Scarborough, and the resolution therein contained was concurred in by the house as follows, to wit:

Resolved, That the prayer of the petitioners respectively ought not to be granted.

Mr. McLean from the joint select committee appointed to ascertain the votes for and against a convention, made a report, which was read, and

Ordered to be recommitted to the said committee with instructions to correspond with such sheriffs as may not have made returns of the convention votes to the present session of the General Assembly.

Mr. Stockton introduced a bill for the benefit of Wright Roberts.

Ordered, That said bill and its accompanying documents, be referred to the committee on claims.

Mr. Maury introduced a bill further to provide for the order and decorum of religious assemblies.

Mr. McFarland introduced a bill to repeal part of the act of 1827, concerning the county revenue. Mr. Stockton introduced a bill to dispose of the public grounds and property in old Montgomery in Morgan county—And Mr. James Gray introduced a bill to change the time of holding muster in the 116th regiment.

Which bills were severally read a first time and passed.

A bill from the Senate to explain and amend an act more effectually to provide for emancipating slaves.

Was read the first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A message from the Senate, by Mr. Hill, their Clerk.

Mr. Speaker.

The Speaker of the Senate did this day sign an act entitled an act for the relief of occupants south and west of the congressional line—and for other purposes. And then he withdrew—when,

The Speaker signed the said act.

Ordered, That the Clerk deposit the same in the office of the Secretary of State.

The court of impeachment being ready to proceed with the tri-

al of judge Haskell, and requesting the attendance of the managers.

The House adjourned.

FRIDAY, NOVEMBER 4, 1831.

Mr. Gillespie presented a petition of Thomas Tipton and Zachariah Clark, praying the passage of an act authorizing them to open a turnpike road.

Ordered, that said petition be referred to the committee on internal improvements.

Mr. Geo. Gray presented a petition of James Campbell and Jno. Goodwin.

Ordered, That said petition be referred to the committee of claims.

Mr. Maury presented a petition of sundry citizens of Williamson county, praying that Charles McCrory may be authorized to hawk and peddle without license.

Ordered, that said petition be referred to the committee of propositions and grievances.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker.

The Senate nonconcur in the resolution of this House, providing for the election of a Chancellor for the western division on to-day. The Senate have adopted a resolution for the appointment of a joint committee to ascertain the amount of the Academy money, chargeable to the State Bank, and for other purposes, in which they ask the concurrence of this house.

And then he withdrew.

Ordered, That said resolution lie on the table.

Mr. Nevins from the committee on Justices, reported a resolution appointing Justices of the peace for Carter county.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Young introduced a bill for the benefit of Jacob Hackney;

Which bill was amended on motion of Mr. Allen, by the insertion of the name of James M. Luckey.

Whereupon, the said bill was read the first time and rejected.

Mr. Claiborne introduced a bill to incorporate the Stockholders of the City Hotel. Mr. Vernon introduced a bill to exempt certain persons from mustering in Rhea county. Mr. Dickinson introduced a bill to repeal the tax upon the probate of Deeds and Mesne conveyances, and for other purposes. Mr. McLean

introduced a bill for the benefit of the people of Henderson county. Mr. Hardin introduced a bill for the benefit of William S. Wisdom. And Mr. Young introduced a bill for the benefit of Thomas Marshall.

Which bills were severally read a first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Bills from the Senate of the following titles, to wit:

A bill for the benefit of Burwell Carter, and a bill to authorize the Administrator of Samuel Hannah to convey a certain tract of land;

Were severally read a first time and passed:

Ordered, That the Clerk acquaint the Senate therewith.

A bill for the relief Arkey Y. Parte and Bersheba G. Parte,

Was read a second time, amended on motion of Mr. Brown, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The Court of Impeachment being ready to proceed with the trial of Judge Haskell, and requesting the attendance of the managers, the House adjourned.

SATURDAY, NOVEMBER 5, 1831.

Mr. Dunlap presented a resolution of the corporation of Knoxville, in favor of the establishment of an independent volunteer company in Knoxville; also a communication from Return J. Meigs, Esq. in relation to the improvements made in the Boiling Pot and Suck in the Tennessee river, by Doct. John C. Haley; also a petition of Collins Roberts, praying to be released from the payment of certain fines. And a petition of Lewis Ross, praying compensation for lands taken by a Reserve under the treaties of 1817 and 1819.

Ordered, That the first and second of said papers lie on the table; that the first of said petitions be referred to the committee of Propositions and grievances; and that the last of said petitions.

Mr. Watkins presented a communication of William Braeken, and also a communication of sundry citizens of Sumner county in relation to the Kentucky line.

Ordered, That said communications be referred to the committee on the Kentucky line.

Mr. Maury presented the return of the Circuit Court Clerk of Williamson county.

Ordered, That said return be referred to the committee of Finance.

Mr. Watkins from the committee of claims reported the bill

for the benefit of Wright Roberts, without amendment, and recommended its rejection.

Whereupon, the said bill was read a first time and rejected.

Mr. Watkins from the same committee reported a bill for the benefit of Joseph Dwyer.

Which bill was read a first time and passed.

Mr. Brown introduced a bill to regulate the practice on writs of Mandamus, and a bill authorizing letters of Administration to be granted in certain cases. Mr. Claiborne introduced a bill concerning free persons of color, and for other purposes. And Mr. James Gray introduced a bill for the benefit of James Johnson. And a bill to give jurisdiction to justices of the peace in cases of assaults and batteries by consent of parties.

Which bills were severally read the first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A message from the senate by Mr. Hill their Clerk.

Mr. Speaker—

EThe Senate concur in your resolutions appointing justices of the peace for the counties of Carter, Montgomery and Stewart. The Senate have adopted a joint select committee to enquire into the expediency of extending the laws of this state over the Cherokee Indians within the chartered limits of the state—in which they ask the concurrence of this house.

And then he withdrew;

Ordered, that said resolution lie on the table until Monday next.

Mr. Turney introduced a bill for the benefit of Thomas Travis—and Mr. Hatley introduced a bill to establish a town on the lands of Robert Roberson, in the county of Hardeman.

Which bills were severally read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Carriger from the committee for enrolled bills, reported a resolution appointing justices of the peace for the counties of Carter, Montgomery and Stewart, truly enrolled.

When the Speaker signed the said resolution,

Ordered, That the Clerk acquaint the Senate therewith.

The court of Impeachment being ready to proceed with the trial of Judge Haskell, and requesting the attendance of the managers;

The House adjourned.

MONDAY, NOVEMBER 7, 1831.

A new member, to wit: Matthew Stephenson, representative from the county of Washington, to fill the vacancy occasioned by the death of John Tipton, appeared and took his seat—the oath

prescribed by the constitution of the state being first administered to him by Wm Lytle Esq. an acting justice of the peace for the county of Davidson.

Mr. McGaughey presented a petition of sundry citizens of Greene county, praying an amendment to the militia laws, relative to the time of holding regimental drills.

Ordered, That said petition be referred to the committee on military affairs.

Mr. Nevins presented the return of the circuit court Clerk of Overton county.

Ordered, That said return be referred to the committee of Finance.

Mr. James Gray presented a petition of sundry citizens of Humphreys county, praying the passage of an act vesting the county courts with power to appoint entry takers and county surveyors—and the clerk's certificate of the resignation of a justice of the peace in Humphreys county.

Ordered, That the said petition be referred to the committee of propositions and grievances, and the said certificate to the committee on justices of the peace.

Mr. McLean presented a petition of Richard A. McKee.

Ordered, that said petition be referred to the committee of propositions and grievances.

Mr. Claiborne presented the chancery court Clerk's return at Franklin.

Ordered, that said return be referred to the committee of Finance.

Mr. Nevins, from the committee on justices, reported a resolution appointing justices of the peace for the county of Carter.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Easley, from the committee on divorces, made a report upon the petition of Hannah Stone; and the resolution therein contained was concurred in by the House as follows, to wit:

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. James Gray introduced a bill to protect the estates of orphans and for other purposes. Mr. McLean introduced a bill to amend the laws on the subject of the Chancery courts in this state. Mr. Carriger introduced a bill for the relief of Wm. Carter, late Sheriff of Carter county—and a bill to authorize Andrew Taylor jun. to build a fish trap. Mr. Parris introduced a bill to amend the laws regulating the taxation of costs.

Which bills were severally read the first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

On motion of Mr. Claiborne,

The House took up the Senate's resolution, providing for the appointment of a joint select committee to ascertain the amount of academy money chargeable to the state bank and for other purposes.

And the question being taken on agreeing thereto, it was determined in the affirmative.

And Messrs. Dickinson, A. E. Smith, Stephenson, Cheatham, Claiborne and Holland, were appointed a committee on part of this house in pursuance of said resolution.

Ordered, that the Clerk acquaint the Senate therewith.

A bill for the relief of Sally Martin—a bill to authorize justices to take bail in certain cases—a bill to amend an act entitled an act for the relief of sheriffs—and a bill for the benefit of Daniel D. Foute of Blount county;

Were severally read a third time, and last time passed, and ordered to be engrossed.

A bill to secure and provide for the collection of the legitimate revenue of this state.

Was read a third time and last time—

And on the question shall the bill pass and be engrossed, it was determined in the affirmative.

YEAS 32

NAYS 2

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, Messrs. Allen, Brown, Boddie, Carriger, Cheatham, Claiboane, Dew, Dobbins, Dunlap, Easley, Gillespie, Gordon, James Gray, George Gray, Hatley, Hurst, Inge, Maury, McLean, Nevins, Parris, Roberson, Rogers, Alexander E. Smith, Joel R. Smith, Stephenson, Stockton, Turney, Vernon, Watkins, Wright and Young.

Those who voted in the negative are, Messrs. McFarland and McGaughey.

Ordered, That 60 copies of the report of the select committee, on rechartering the Bank of the U. States be printed for the use of the members of this House.

On motion of Mr. Allen,

Ordered, That the bill to equalize the tax on merchants, be re-committed to the committee of Finance.

A bill for the relief of the personal representatives and legal heirs of John McEwen, and James McKamy dec'd—a bill to change the time of holding the county courts of Henderson—a bill to incorporate the town of Troy; a bill to authorize Cain Broyles to open a turnpike road; and a bill to extend the time of making surveys south and west of the Congressional line;

Were severally read a second time and passed.

A bill for the benefit of Nancy McCl enethan, was read a second

time, amended on motion of Mr. Turney, and passed.

Ordered, that the Clerk acquaint the Senate therewith.

The House took up the bill to declare in force all the acts of the States of North Carolina and Tennessee, contained in Haywood & Cobb's Digest, and that all statutes of a public nature heretofore in force in this State not therein contained declared obsolete and repealed.

Mr. Young made a motion to postpone the said bill indefinitely.

And the question being taken thereon, it was determined in the affirmative.

And so the said bill was rejected.

On motion of Mr. Young,

Ordered, That the bill to close the Bank and to carry into effect the Common Schools be referred to the committee on education.

The House took up the bill to amend the several laws relating to judgments and executions rendered by Justices of the Peace after such Justices have gone out of office.

Mr. James Gray made a motion to postpone the said bill indefinitely.

And the question being taken thereon, it was determined in the affirmative.

And so the said bill was rejected.

Mr. McLean introduced a bill to establish a Turnpike bridge across Hatchie river in Haywood county. And Mr. Gillespy introduced a bill to repeal part of an act passed the 13th January, 1830.

Which bills were severally read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill to amend an act to compel the Commissioners of the town of Lawrenceburg to close their business,

Was read a second time amended on motion of Mr. Nevins, and passed.

A bill for the relief of the creditors of Anthony Gilliam, dec. a bill to amend an act to incorporate the Gallatin Turnpike company, a bill to extend the town of Sparta, and a bill to amend the several laws incorporating the town of Nashville,

Were severally read a second time and passed.

A bill for the relief of Frederic Sawyers and George Wallace of Overton county,

Was read a second time and rejected.

A message from the Senate, by Mr. Hill, their Clerk.

Mr. Speaker.

The Speaker of the Senate did this day sign enrolled bills and resolutions of the following titles, to wit:

An act for the relief of Elizabeth Casey of Rhea county. An act to reduce the fees on marriage license. An act for the bene-

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fit of Carrick W. Nelson. An act to amend an act entitled an act to revise and amend the stray laws. An act to authorize the Sheriffs of Lincoln and Rhea counties to appoint three deputies. An act for the benefit of William McCoy. A resolution appointing Justices of the peace for Tipton county. And a resolution appointing Justices of the peace for Franklin county. The Senate have adopted a resolution appointing a justice of the peace for Weakley county; and a justice of the peace for Dickson county, in which they ask the concurrence of this House.

And then he withdrew—when the Speaker signed the said acts and resolutions.

Ordered, that the same be deposited in the office of the Secretary of State.

The House took up the bill to incorporate a board of Internal Improvement in that part of the State East of Cumberland mountain.

Mr. McGaughey made a motion to amend the said bill by inserting in the fourth section after the word "navigation," the following words, to wit: "And that it shall be the duty of the said board to apply thirty thousand dollars of the sum appropriated for East Tennessee, to the removing the obstructions of that part of the Tennessee and Holston rivers below Knoxville; and twelve thousand dollars towards removing the obstructions in Holston and Watauga rivers above Knoxville, and ten thousand dollars towards removing the obstructions to the navigation of French Broad and Nolichucky rivers; and eight thousand dollars towards removing the obstructions to the navigation of Clinch and Powell's rivers, at such places as in the opinion of said board the interest of the State may require.

And the question being taken thereon, it was determined in the negative.

YEAS 8

NAYS 29

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, Messrs. Boddie McFarland, McGaughey, Nevins, Rogers, Alex. E. Smith, Stephenson, and Turney.

Those who voted in the negative are, Messrs. Allen Brown, Carriger, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Dunlap, Easley, Gillespie, Gordon, James Gray, George Gray, Hatley Hardin, Holland, Hurst, Inge, Maury, McLean, Parris, Roberson, Joel R. Smith, Stockton, Vernon, Watkins, Wright and Young.

Whereupon, the said bill was amended on motion of Mr. McLean, and further amended on motion of Mr. Dunlap; and read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.
And then the House adjourned.

TUESDAY, NOVEMBER 8, 1831.

Mr. Vernon presented a petition of Elizabeth Bird, praying a divorce from her husband George Bird; and a petition of Sutton Greene, praying a divorce from his wife Sally.

Ordered, That said petition be referred to the committee on divorces.

Mr. Nevins presented a petition of J. M. Huddleston, praying the passage of an act authorizing him to draw a warrant located in the 4th Surveyor's district; and a petition of sundry citizens of Overton county, praying that unimproved lots in the town of Monroe may not be taxed as town lots, but as other lands.

Ordered, that the first of said petitions be referred to the committee on land claims, and the last of said petitions to the committee of Propositions and grievances.

Mr. Allen presented a petition of sundry citizens of Smith county, praying compensation to overseers of roads in certain cases. And,

Mr. Claiborne presented a petition of Walter G. Warthen, praying the passage of an act authorizing him to hawk and peddle without license.

Ordered, That said petitions be referred to the committee of propositions and grievances.

Mr. Maury presented a petition of sundry citizens of Williamson county, praying that Aaron A. Wilson may be appointed a Justice of the peace.

Ordered, That said petition be referred to the committee on justices of the peace.

Mr. Gordon presented a petition of Henry Anderson, praying to be divorced from his wife Fanny—and a petition of Laney Daft praying to be divorced from her husband John Daft.

Ordered, that said petitions be referred to the committee on Divorces.

Mr. Claiborne from the committee of Finance, Reported the bill to equalize the tax on merchants, with an amendment.

Ordered, That said bill and amendment lie on the table.

Mr. Carriger from the committee for enrolled bills reported bills of the following titles, truly enrolled, to wit:

An act to authorize Justices of the peace to take bail in certain cases. An act to amend an act entitled an act for the relief of sheriffs. An act for the benefit of Daniel D. Foute. An act for the relief of Sally Martin and Martha McIlrath. And an act to

secure the collection of the legitimate revenue of this state.

The Speaker signed the said acts.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Nevins from the committee on Justices of the peace reported a resolution appointing Justices of the peace for Knox, Anderson and Fayette counties.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Dickinson from the committee on the Mississippi line made a report accompanied by a bill to provide for the establishment of the southern boundary of this State.

Which bill was read the first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Whereupon, the said report was read at the Clerk's table, and is as follows:

The Committee to whom was referred so much of the Governor's message as relates to the Mississippi line, report that in the year 1819, Gen. Winchester was appointed under an act of Congress to ascertain the line of the 35th degree of North latitude, and run the same. But the Legislature of Mississippi under the impression that the line run by General Winchester, was south of the true latitude of 35 degrees, directed the Executive of that state to request the appointment of a Commissioner on the part of Tennessee, to co-operate in the establishment of the southern boundary of this State. The Commissioner on part of Mississippi, has, as he reports to the Executive of said state, ascertained that if the line run by Gen. Winchester is made the Northern boundary of that state, nearly four miles in breadth and of very considerable extent will be taken from the Territory of the state of Tennessee, and attached to or become a part of the state of Mississippi.

The Committee therefore recommend the enactment of a law, authorizing the Governor to appoint a Commissioner to examine the late survey; that the boundary of the two states may be amicably and permanently established, before the extinguishment of the Indian title on our southern frontier; and before any perplexing questions may arise, growing out of individual rights, and individual settlements. To accomplish which object, the committee report the foregoing bill.

On motion of Mr. Allen,

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of amending the laws regulating the compensation of Coroners, so as to give them in addition to his present fees 25 cents each for summoning jurors and witnesses, and one dollar per day when compelled to attend court.

Mr. McLean introduced a bill to amend the revenue laws, and to reduce the tax on the good people of this state. And Mr. Boddie introduced a bill relating to water craft, that may be stopped when adrift on any of the waters of this state.

Which bills were severally read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the senate by Mr. Hill their Clerk.

Mr. Speaker—

The Senate concur in the resolution of this House, appointing Justices of the peace for Carter county.

The Speaker of the Senate did this day sign an enrolled bill entitled an act to amend an act authorizing William Reynolds of the county of Green, to open a turnpike road.

And then he withdrew;

When the Speaker signed the said act.

Ordered, that the Clerk deposit the same in the office of the Secretary of State.

A bill for the benefit of John Jett and others.

Was read a second time, amended on motion of Mr. Turney and passed.

Ordered, That the Clerk acquaint the Senate therewith.

And then the House adjourned.

WEDNESDAY, NOVEMBER 9, 1831.

The Speaker laid before the house the report of the Circuit court Clerk of Greene county, of causes docketed in said court from April term, 1825, to October-term, 1830.

Ordered, That said report be referred to the committee on the Judiciary.

Mr. Dunlap presented a petition of sundry citizens of Anderson county, praying the passage of an act authorizing the county courts to appoint patrols, and that they be paid for their services. Also a petition of sundry citizens of the town of Knoxville, praying an extension of the limits of the corporation of said town.— And a petition of the Justices of the county court of Knox, praying the passage of an act authorizing them to build a new court house.

Ordered, That the first of said petitions be referred to the select committee appointed to revise the criminal code for the government of slaves; and that the second and third of said petitions lie on the table.

Mr. Hurst presented a petition of William Firestone, praying for a divorce.

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And Mr. Dew presented a petition of Milberry P. Rutland, praying for a divorce.

Ordered, That said petitions be referred to the committee on Divorces.

Mr. Dickinson presented a petition of Benjamin Morgan, and sundry citizens of Rutherford county.

And Mr. Inge presented a petition of Samuel Isaacs, and sundry citizens of Lincoln county, on behalf of John W. Isaacs.

Ordered, That said petitions be referred to the committee on the Judiciary.

Mr. James Gray presented a petition for the appointment of a Justice of the peace for Stewart county, and a petition of James Crocket, praying the passage of an act to authorize him to hawk and peddle without license.

Ordered, That the first of said petitions be referred to the committee on Justices of the peace, and the last of said petitions to the committee of propositions and grievances.

Mr. Joël R. Smith presented the resignation of Isaac Sampson a justice of the peace for Dyer county.

Ordered, That said resignation be referred to the committee on justices of the peace.

Mr. McGaughey, from the committee of propositions and grievances reported a bill for the benefit of Joseph Hicks jailor of Hawkins county.

Which bill was read the first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. McGaughey from the same committee made a report upon the petition of the citizens of Overton county, in relation to the taxation of lots in the town of Monroe. Also the petition of the citizens of Humphreys county, praying that the county courts may be empowered to appoint Entry takers and county surveyors. And also upon the memorial of Thomas Powell. And the resolution therein contained was concurred in by the House as follows to wit:

Resolved, That the prayer of the petitioners respectively ought not to be granted.

Mr. Nevins from the committee on justices of the peace reported a resolution appointing a Justice of the peace for Bledsoe county.

And the question being taken on agreeing thereto it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Carriger from the committee for enrolled bills, reported a resolution appointing Justices of the peace for Carter county truly enrolled.

The Speaker signed the said resolution.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. George Gray introduced a bill for the benefit of Daniel Larkins. And a bill to alter the time of holding Regimental musters in the 32nd Regiment. And Mr. Nevins introduced a bill to authorize a lottery for the purpose of clearing out obstructions in Obed's river, and to build a bridge across the same.

Which bills were severally read the first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

The House took up the bill making an appropriation for the completion of the Penitentiary established in this State.

Mr. Young made a motion to amend the said bill by striking out the third section thereof.

And the question being taken thereon, it was determined in the negative.

YEAS 9

NAYS 30

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, Messrs. Easley, Gowen, Holland, McFarland, McGaughey, Rogers, Alex. E. Smith, Stephenson and Young.

Those who voted in the negative are, Messrs. Speaker Huling, Allen, Brown, Boddie, Carriger, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Dunlap, Gillespie, Gordon, James Gray, Geo. Gray, Hatley, Hardin, Hurst, Inge, Maury, McLean, Nevins, Parris, Roberson, Joel R. Smith, Stockton, Turney, Vernon, Watkins, and Wright.

Whereupon, the said bill was amended on motion of Mr. Brown, and further amended on motion of Mr. Allen, and read a third time.

And on the question shall the bill pass, it was determined in the affirmative.

YEAS 33

NAYS 6

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are Messrs. Speaker Huling, Allen, Boddie, Brown, Carriger, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Dunlap, Gillespie, Gordon, Gowen, James Gray, Geo. Gray, Hatley, Hardin, Hurst, Inge, Maury, McLean, Nevins, Parris, Roberson, Alex. E. Smith, Joel R. Smith, Stephenson, Stockton, Turney, Vernon, Watkins, and Wright.

Those who voted in the negative are, Mr. Easley, Holland, McFarland, McGaughey, Rogers, and Young.

Ordered, That the Clerk acquaint the Senate therewith.

The court of Impeachment being ready to proceed with the

trial of Judge Haskell, and requesting the attendance of the managers.

The House adjourned.

THURSDAY, NOVEMBER 10, 1831.

Mr. Vernon presented a petition of sundry citizens of Rhea county, praying to be attached to the county of McMinn.

Ordered, that said petition be referred to the committee on new counties and county lines.

Mr. Dew presented a petition of Samuel Cross, praying the passage of an act authorizing him to hawk and peddle without license.

Ordered, that said petition be referred to the committee of propositions and grievances.

Mr. McLean presented a petition of Goff & Hightower, praying the correction of an error in a Grant in the 10th and 11th Surveyor's Districts.

Ordered, That said petition be referred to the committee on land claims.

Mr. Easley, from the committee on Divorces, made a report upon the petition of Margaret Smith, and the petition of Kinckin Pippin. And the resolution therein contained was concurred in by the house as follows to wit:

Resolved, That the prayer of the petitioners respectively ought not to be granted.

On motion of Mr. McGaughey,

Ordered, That Mr. Stephenson be added to the committee on Banks, and the committee on Internal improvements.

The house took up the bill to authorize the proprietors of the Unicoy Turnpike company to enter certain lands heretofore reserved to said company.

Mr. Hurst made a motion to postpone the said bill indefinitely.

And the question being taken thereon, it was determined in the affirmative.

And so the said bill was rejected.

A bill for the relief of persons who may have married within the degrees prohibited by law.

Was read a third time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Geo. Gray introduced a bill for the relief of Matthew L. Dixon.

Ordered, That said bill be referred to the committee on land claims. Mr. Nevins introduced a bill to authorize the sheriff Jackson county to appoint three deputies.

Which bill was read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker.

The Senate have adopted a resolution appointing a justice of the peace for Dickson county.

The Senate have taken up the bill for the benefit of George W. Churchwell, and Nathan Haggard, and propose amending the said bill by striking out the second section. In which they ask the concurrence of this House.

And then he withdrew.

When the House proceeded to the consideration of the amendment proposed by the Senate to the said bill.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Dickinson,

Resolved, That the Treasurers of this State be required to report forthwith to this House what amount of the Academy money has been paid over to either the principal Bank or its Branch, under the various acts requiring it to be funded. And that they be required to report what sums were paid to each county previous to their funding the same in the Bank of the State as required by law.

Mr. Kincaid made a motion to amend the resolution of this house of November 2nd, by adding thereto the following words, to wit:

"Also that the said President and Directors report the year in which the accounts for overchecking accrued against said individuals—also the manner in which the debts which have thus accrued by overchecking have been settled; and what amount thereof has been settled. Also that they report in what year, and at what time in said year the books of the Bank had been last balanced, previous to their coming into the hands of the present officers of the Bank.

And the question being taken thereon, it was determined in the affirmative.

Ordered, That a certified copy of the said resolution as amended be served upon the President and Directors of the Bank, by the Chairman of the committee on Banks.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker.

The Senate concur in your resolution appointing a Justice of the peace for Bledsoe county.

And then he withdrew.

Mr. Carriger from the committee for enrolled bills, reported a resolution appointing a justice of the peace for Bledsoe county truly enrolled.

The Speaker signed the said resolution.

Ordered, that the Clerk acquaint the Senate therewith.

The Court of Impeachment being ready to proceed with the trial of judge Haskell, and requesting the attendance of the managers.

The House adjourned.

FRIDAY, NOVEMBER 11, 1831.

Mr. Stephenson presented a petition of sundry citizens of Washington county, praying that George Patton may be appointed a justice of the peace for said county. And a petition of the citizens of Jonesboro, praying the passage of an act authorizing the corporation to pass laws regulating patrols in said town.

Ordered, That the first of said petitions be referred to the committee on Justices of the peace, and the last of said petitions to the committee of propositions and grievances.

Mr. McGaughey presented a petition of William Houston, Lewis Ball, and William Reynolds, praying the extension of a Turnpike road from the top of Paint Mountain to Nolichucky river.

Ordered, That said petition be referred to the committee on Internal Improvements.

Mr. Rogers presented a petition of William Lindsey, praying the passage of an act authorizing the Branch Bank of the State of Tennessee to loan him \$1000 to complete a forge which he is erecting in Campbell county.

Ordered, That said petition be referred to the committee of Finance.

Mr. Roberson presented a petition of sundry citizens of White county praying to be attached to the county of Bledsoe.

Ordered, That said petition be referred to the committee on new counties and county lines.

Mr. Holland presented a petition of John C. McLemore and Thomas Hopkins, praying the issuance of a land Warrant.

Ordered, That said petition be referred to the committee of land claims.

Mr. Hardin presented a petition of sundry citizens of Lawrence county, praying the passage of an act restraining the citizens of Maury and Giles counties from driving their stock to range on the lands of Lawrence county.

Ordered, that said petition be referred to the committee of propositions and grievances.

Mr. McLean presented a petition of sundry citizens of Haywood county, praying the appointment of a county Surveyor.

Ordered, That said petition lie on the table.

Mr. McGaughey from the committee of propositions and grievances made a report upon the petition of Richard A. McRee and the citizens of the county of Smith in favor of compensating overseers of roads—and the resolution therein contained was concurred in by the House as follows, to wit:

Resolved, That the prayer of the petitioners respectively ought not to be granted.

Mr. Gordon from the committee on land claims made a report upon the petition of Thomas Maxwell, and the resolution therein contained was concurred in by the House as follows, to wit:

Resolved, That the prayer of the petitioner ought not to be granted.

Ordered, that Mr. Gillespy have leave to withdraw the said petition and its accompanying documents.

Mr. Dunlap from the committee on Internal Improvements reported a bill to authorize Thomas Tipton and Zachariah Clark to open a Turnpike road.

Which bill was read a first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

On motion of Mr. Hurst,

Ordered, That the committee on new counties and county lines be discharged from the further consideration of the petition of the citizens of Rutherford county in relation to a new county—and that said petition lie on the table.

Mr. Hurst from the committee on new counties and county lines made a report upon the petition of the citizens of Reane, Bledsoe, Rhea, Morgan and White counties, praying for a new county—and also upon the petition of the citizens of Campbell and other counties, praying for a new county. And the resolution therein contained was concurred in by the House as follows, to wit:

Resolved, That the prayer of the petitioners respectively ought not to be granted.

Mr. Hurst from the same committee reported a bill to alter the line between the counties of Overton and Fentress, so as to include Willis Huddleston in Overton county.

Which bill was read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The House took up the Senate's resolutions appointing Justices of the peace for the counties of Dickson and Weakley.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith.

Bills from the Senate of the following titles, to wit:

A bill to authorize the drawing of a lottery for the benefit of the Somerville Male and Female Academies. A bill for the re-

Chief of Nathaniel Ragan, and a bill directory to the Register of the Western district.

Were severally read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Dunlap.

Resolved, That the Committee on the Penitentiary be instructed to enquire into the expediency of authorizing the Keeper of the Penitentiary to send for all convicts after being notified of their conviction, and that said Keeper send a Sergeant and file of men, with a Carryall, who shall carry their own provisions for such convicts.

A bill to explain and amend an act, passed Dec. 7, 1829, ch. 29, more effectually to provide for emancipating slaves. A bill to extend the time allowed by law, for the erection of certain Turnpikes and bridges in the Western district. And a bill for the benefit of Richard Locke.

Were severally read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate, by Mr. Hill their Clerk.

Mr. Speaker.

The Speaker of the Senate did this day sign enrolled bills of the following titles, to wit:

An act making compensation to certain enterers and grantees for their improvements between the two Kentucky lines.

An act to establish a new Regiment in the county of Haywood, and an act to incorporate the town of Lagrange.

And then he withdrew.

When the Speaker signed the said acts.

Ordered, That the Clerk deposit the same in the office of the Secretary of State.

Mr. Hurst introduced a bill to repeal all laws heretofore passed incorporating the town of Athens.

Which bill was read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The Court of Impeachment being ready to proceed with the trial of Judge Haskell, and requesting the attendance of the managers,

The House adjourned.

SATURDAY, NOVEMBER 12, 1831.

Mr. Young presented a petition of Thomas Hord, C. A. Armstrong, and William Weaver, Administrators of Stanwix Hord, deceased.

Ordered, That said petition be referred to the committee of claims.

Mr. McLean presented a petition of sundry citizens of Haywood county, in relation to the appointment of Justices of the peace.

Ordered, That said petition be referred to the committee on justices of the peace.

Mr. McGaughey from the Committee of propositions and grievances, reported a bill for the relief of the securities of Joseph Stone.

Which bill was read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Nevins from the committee on Justices of the peace, reported a resolution appointing Justices of the peace for the counties of Monroe and Claiborne.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Easley from the committee on divorces, made a report upon the petitions of Nathan Parker and Robt. H. Scales, and the resolution therein contained was concurred in by the House as follows, to wit:

Resolved, That the prayer of the petitioners respectively ought not to be granted.

A bill for the relief of the heirs of James Taylor, sen. late of Columbia, South Carolina, and a bill to authorize James McKinley and Lewis Fletcher to open a Turnpike road,

Were severally read a third time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Nevins introduced a bill to authorize a lottery for the purpose of building a bridge across Roaring river in Jackson county. **Mr. Carriger** introduced a bill to amend the 65th section of an act entitled an act to reform and amend the penal laws of the State of Tennessee. **Mr. McFarland** introduced a bill to authorize the county courts to elect Trustees of county Academies. And **Mr. James Gray** introduced a bill for the benefit of Elisha Askew.

Which bills were severally read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker.

The Senate concur in your resolution appointing Justices of the peace for Monroe, Knox, Anderson, Fayette, and Claiborne counties. The Senate propose sundry amendments to the bill incorporating the Franklin rail [road] company, in which they ask the concurrence of this House. The Speaker of the Senate did this day sign an enrolled bill entitled an act for the relief of persons who may have married within the degrees prohibited by law.

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And then he withdrew.

When the Speaker signed the said act.

Ordered, that the Clerk deposit the same in the office of the Secretary of State.

Whereupon the House took up the Senate's amendments to the Franklin rail road bill,

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith.

Bills from the Senate of the following titles, to wit:

A bill for the relief of Joseph Herd. A bill to establish the rate of county tax. A bill to amend the laws authorizing persons to sell groceries purchased with their own produce. A bill to regulate the taxation of lands in this State. A bill to authorize the Commissioners of the Western District Turnpike road to rescind the contract entered into with John Thomas, Jun. and for other purposes. And a bill to amend an act entitled an act to establish Turnpike bridges in the Western District.

Were severally read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Parris introduced a bill to prevent trespasses upon the school lands in Warren county. And Mr. Joel R. Smith introduced a bill for the benefit of Azer Wyly.

Which bills were severally read the first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Carriger from the committee for enrolled bills, reported a resolution appointing Justices of the peace for the counties of Monroe, Claiborne, Knox, Anderson and Fayette truly enrolled.

The Speaker signed the said resolution.

The House took up the bill to provide for the entry of the forfeited lands in the Hiwassee District.

Mr. Dunlap made a motion to amend the said bill by striking out the Proviso therein, which prohibits nonresidents from the benefits of the provisions of the said bill.

And the question being taken thereon, it was determined in the negative.

YEAS 12

NAYS 19

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, Messrs. Dew, Dickinson, Dunlap, Gordon, Gowen, McFarland, Rogers, Alexander E. Smith, Joel R. Smith, Stockton, Wright, and Young.

Those who voted in the negative are, Messrs. Speaker Huling, Allen, Carriger, Claiborne, Easley, Gillespie, James Gray, Hatley, Hardin, Hurst, Kincaid, McGaughey, Nevins, Parris, Roberson, Stephenson, Turney, Vernon, and Watkins.

And so the House refused to make the said amendment. Whereupon, the said bill was read a third time and passed. *Ordered*, That the Clerk acquaint the Senate therewith. And then the House adjourned.

MONDAY, NOVEMBER 14, 1831.

The Speaker laid before the house a petition of Jonathan Barnard, praying the passage of an act authorizing him to draft the scheme of a lottery. And a report of the Treasurer of West Tennessee, in compliance with a resolution of this House of the 10th inst in relation to the Academy monies.

Ordered, That said petition lie on the table, and that said report be referred to the select committee on the Academy funds.

Mr. McGaughey presented a petition of James McKamy, of Greene county, praying an alteration in the lines of a Grant.

Ordered, That said petition with its accompanying documents be referred to the committee on land claims.

Mr. Rogers presented a petition of Joel and Siskey Parrott, praying the passage of an act making Armstead Parrott their lawful heir. Also a petition of Sally Hopson praying the privileges of a *feme sole*, and a petition of Elizabeth Linn, praying to be divorced from her husband, Jacob Linn.

Ordered, That the first and second of said petitions be referred to the committee of Propositions and grievances. And the last of said petitions to the committee on Divorces.

Mr. Alex. E. Smith presented a certificate of the Clerk of Cocke county court, of the removal of two Justices of the peace from said county.

Ordered, That said certificate be referred to the committee on Captains' companies and Justices of the peace.

Mr. Roberson presented a petition of sundry citizens of Marion county, praying compensation to Daniel Riggle for keeping John Holman in the jail of said county, and a petition of sundry citizens of Marion county, praying to be released from attending Regimental musters.

Ordered, That the first of said petitions be referred to the committee of claims, and the last of said petitions to the committee on Military affairs.

Mr. Dew presented a petition of Gabriel Brown, praying to be divorced from his wife Elizabeth.

Ordered, That the said petition be referred to the committee on divorces.

Mr. Kincaid presented the resignation of Samuel Bigham as a justice of the peace for Bedford county.

Ordered, That said resignation be referred to the committee of Captains' companies and Justices of the peace.

Mr. James Gray presented sundry petitions of citizens of Humphreys and Perry counties, praying the appointment of Justices of the peace for said counties.

Ordered, that said petitions be referred to the committee of Captains' companies and Justices of the peace.

Mr. Dunlap from the committee on Internal Improvements reported a bill to incorporate the Clarksville and Russellville rail road company.

Which bill was read the first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Easley, from the committee on Divorces made a report on the petitions of Robert H. Scales and Sally Anderson.

And the resolution therein contained was concurred in by the House as follows, to wit:

Resolved, That the prayer of the petitioners respectively ought not to be granted.

Mr. Allen introduced a bill to incorporate the town of Liberty in Smith county. Mr. Dew introduced a bill to amend the acts now in force to suppress the odious practices of gaming, tipling, and trading with slaves, and a bill to amend the penal laws of this State. And Mr. Nevins introduced a bill to ascertain the center of Overton county, and to remove the seat of Justice therein.

Which bills were severally read the first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill to incorporate the Franklin and Columbia Turnpike company. And a bill to release Hale's Turnpike from the payment of a State tax.

Were severally read a second time and passed.

A bill to authorize David S. Shelton to build a mill dam across Sequatchee river,

Was read a second time, amended on motion of Mr. Roberson, and passed.

A bill for the benefit of Elizabeth C. Bell,

Was read a second time, amended on motion of Mr. Watkins, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Bills from the Senate of the following titles, to wit:

A bill to establish Boards of Internal Improvement in the Western District. A bill for the benefit of the Common Schools therein mentioned. A bill for the benefit of Jonas B. Siles. A bill for the benefit of Robert Jetton and John Elliott. A bill to explain the act restraining the taking of excessive usury. A bill to repeal part of the 4th section of an act establishing a sixth Judicial circuit. A bill to repeal the act authorizing Isaac and

Lewis Miller to erect a mill dam on Clinch river. A bill to divorce Delancy Mitchell from her husband. A bill to provide for the circulation of the Journals of the Congress of the United States, and for other purposes. A bill for the benefit of John Walters. A bill to amend the laws regulating the manner of granting Writs of Certiorari and Supersedeas. A bill to provide for the payment of the record books of the Supreme court. A bill for the relief of Nathan Job. A bill to amend the act authorizing Thomas Wheeler to open a Turnpike road. A bill to regulate the proceedings of courts of Justice in certain cases.— A bill to establish the 124th Regiment of Militia. And a bill to amend the revenue laws of this State.

Were severally read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The House took up the Senate's bill to close the affairs of the Bank of the State of Tennessee, and to appropriate the funds therein, and for other purposes.

On motion of Mr. Watkins,

Ordered, that said bill be referred to the committee on Education.

A bill from the Senate to divorce Elias Moore from his wife Pamela,

Was read the first time and rejected.

The Court of Impeachment being ready to proceed with the trial of Judge Haskell, and requesting the attendance of the managers,

The House adjourned.

TUESDAY, NOVEMBER 15, 1831.

On motion of Mr. Rogers,

Ordered, That the petition of Jonathan Barnard be referred to the committee of Propositions and grievances.

Mr. Stockton presented a petition of Jesse Byrd, praying remuneration for losses sustained by operation of an act passed in the year 1806.

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. Parris presented a remonstrance of sundry citizens of Franklin county, against the establishment of a new county to be taken from Warren, Franklin, and Bedford counties.

Mr. Claiborne presented a petition of sundry citizens in favor of the establishment of a new bridge across Cumberland river at Nashville.

Ordered, that said petition lie on the table.

S2 House.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker.

The Speaker of the Senate did this day sign enrolled bills of the following titles, to wit:

An act making an appropriation for the completion of the Penitentiary established in this State, and an act for the relief of the heirs of James Taylor, sen. dec'd, late of Columbia, South Carolina.

And then he withdrew, when the Speaker signed the said acts.

Ordered, That the Clerk deposit the same in the office of the Secretary of State.

Mr. Cheatham presented the resignation of Washington Lowe as a Justice of the peace for Robertson county, which [was] read and accepted and ordered to be referred to the committee of Captains companies and Justices of the peace.

Mr. McGaughey from the committee of propositions and grievances, reported a bill to amend the laws regulating the town of Jonesboro, and a bill for the relief of Sally Hopson.

Which bills were severally read a first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Watkins from the Committee of Claims, reported a bill for the benefit of Daniel Riggle, former Jailor of Marion county.

Which bill was read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Nevins, from the committee on Justices of the peace reported a resolution appointing justices of the peace for Robertson and Hickman counties.

And the question being taken on agreeing thereto it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Gordon from the committee on land claims, made a report upon the petition of James McKamey of Greene county.

And the resolution therein contained was concurred in by the House as follows, to wit:

Resolved, That the prayer of the petitioner ought not to be granted.

Ordered, that Mr. McGaughey have leave to withdraw the said petition and its accompanying documents.

Mr. Hurst from the committee on new counties and county lines reported a bill to change a line between the counties of Rhea and McMinn.

Mr. Vernon introduced a bill authorizing Hasting Poe and Asahel Rawlings to open a Turnpike road.

And Mr. Dickinson introduced a bill to authorize the Treasurer of West Tennessee to refund money to Matthew McClanahan.

The first and second of said bills were read the first time and passed, and ordered that the third of said bills be referred to the committee on claims.

A bill from the Senate to lay off a new Brigade of militia,
Was read the first time and passed.

A bill to exempt certain persons from mustering in Rhea county; a bill relating to water craft, that may be stopped when adrift on any of the waters of this State; a bill for the benefit of Field Farrar; a bill to alter the time of holding Regimental musters in the 32nd Regiment; and a bill to authorize Jose C. Dew & Co. to build a bridge across the Falling Water in White county.

Were severally read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The House took up the bill to amend the revenue laws of this State, the title of which bill was amended on motion of Mr. Young, to read as follows, to wit:

“A bill to reduce the tax on Carriages of pleasure.”

Whereupon the said bill was read a second time and rejected.

A message from the senate by Mr. Hill their Clerk.

Mr. Speaker—

The Senate concur in your resolution appointing Justices of the peace for Robertson and Hickman counties.

And then he withdrew.

A bill for the benefit of Joseph Hicks, jailor of Hawkins county.

Was read a second time, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Carriger from the committee for enrolled bills, reported a resolution appointing Justices of the peace for Robertson and Hickman counties truly enrolled.

The Speaker signed the said resolution.

Ordered, That the Clerk acquaint the Senate therewith.

A bill for the benefit of the people of Henderson county,

Was read a second time, amended on motion of Mr. Vernon and Mr. Holland and rejected.

A bill for the benefit of the Judge of the 4th Circuit,

Was read a second time,

And on the question ‘shall the bill pass,’ it was determined in the negative.

YEAS 6

NAYS 26

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Cheatham, Dickinson, Gillespie, Gordon, Kincaid and Maury.

Those who voted in the negative are,

Messrs. Speaker Huling, Boddie, Carriger, Dew, Easley, Gowen, James Gray, Hatley, Hardin, Holland, Hurst, McFarland, McGaughey, McLean, Nevins, Parris, Roberson, Rogers, Alex. E. Smith, Joel R. Smith, Stephenson, Stockton, Vernon, Watkins, Wright and Young.

And so the said bill was rejected.

Whereupon,

The Court of Impeachment being ready to proceed with the trial of judge Haskell, and requesting the attendance of the managers,

The House adjourned.

WEDNESDAY, NOVEMBER 16, 1831.

Mr. Nevins presented a petition of Pamela McKearly, praying a divorce from her husband James McKearly.

Ordered, That said petition be referred to the committee on divorces,

Mr. Dew presented a petition of J. H. Curry, praying the passage of an act authorising him to hawk and peddle without license.

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. Watkins, from the committee of claims, reported the bill to authorise the Treasurer of West Tennessee to refund money to Matthew McClenahan, without amendment, and recommended its rejection.

On motion of Mr. Dickinson,

Ordered, That said bill and report lie on the table.

Mr. Gordon, from the committee on land claims, reported,

A resolution referring certain land claims to the Secretary of State as commissioner for adjudication.

And the question being taken on agreeing thereto,

It was determined in the affirmative.

Ordered, That the clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. McGaughey, from the committee of propositions and grievances, reported a bill to legitimate Armstead Parrott, of Claiborne county.

Which bill was read a first time and passed.

Ordered, That the clerk acquaint the Senate therewith.

Mr. Nevins, from the committee of captains' companies and Justices of the Peace, reported a resolution appointing Justices of the Peace for the counties of Humphreys, Perry and Bedford.

Mr. James Gray made a motion to amend the said resolution, by inserting therein the name of 'Readie Yeats' as a Justice of the Peace for Humphreys county.

And the question being taken thereon, it was determined in the negative.

Whereupon the question was taken on agreeing to said resolution, and determined in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Easley, from the committee on divorces, reported a bill to divorce Elizabeth Linn from her husband Jacob Linn.

Mr. Allen introduced

A bill directing the payment of the costs therein named, and Mr. Alexander E. Smith introduced

A bill authorising executors to sell real estate in certain cases. Which bills were severally read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate, by Mr. Hill their Clerk.

Mr. Speaker.

The Senate concur in your resolution appointing Justices of the Peace for Humphreys, Perry and Bedford counties.

And then he withdrew.

A bill to divorce Robert Baker from his wife Charlotte,

Was read a third time and last time.

And on the question, "Shall the bill pass and be engrossed?" it was determined in the affirmative.

YEAS 26

NAYS 10

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Allen, Boddie, Carriger, Claiborne, Dew, Dickinson, Dunlap, Easley, Gordon, Hatley, Hardin, Holland, Hurst, Kincaid, McGaughey, McLean, Nevins, Parris, Rogers, Alex. E. Smith, Joel R. Smith, Stockton, Vernon, Watkins, Wright and Young.

Those who voted in the negative are,

Mr. Speaker, Huling, Cheatham, Gillespy, James Gray, Inge, Maury, McFarland, Stephenson and Turney.

Mr. Easley introduced the following resolution, to wit:

Resolved, That the sub-committee on Banks be directed to count all the notes of a less denomination than five dollars, or so many thereof as may be practicable; and when so counted, and the amount thereof entered upon the books of the Bank, the said committee shall burn the same and report accordingly.

Ordered, That said resolution lie on the table.

A bill to preserve decency and morality,

Was read a second time, amended on motion Mr. McFarland, and further amended on motion of Mr. Gordon and Mr. Kincaid; the title thereof changed to A bill to prevent the violation of graves and the disturbance of the bodies of the dead, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The House took up the bill concerning free persons of color, and for other purposes.

When Mr. Stephenson proposed sundry amendments thereto, the first of which was agreed to by the House.

Whereupon,

On motion of Mr. Dickinson,

Ordered that the bill and the balance of said amendments, be referred to the committee on the Judiciary.

Mr. Carriger, from the committee for enrolled bills, reported,

A resolution appointing Justices of the Peace for Humphreys, Perry and Bedford counties, truly enrolled.

The Speaker signed the said resolution.

Ordered that the clerk acquaint the Senate therewith.

Whereupon,

The Court of Impeachment being ready to proceed with the trial of Judge Haskell, and requesting the attendance of the managers,

The House adjourned.

THURSDAY, NOVEMBER 17, 1831.

Mr. McFarland presented a petition of James Rutherford, alias James Scott, praying the passage of an act making his name James Rutherford.

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. Stockton presented a petition of Polly Billingsly, and sundry citizens on her behalf, praying a divorce from her husband Elijah Billingsly.

Ordered that said petition be referred to the committee on divorces.

Mr. Hurst presented a petition of James McNally, praying the passage of an act restoring him to the privileges of citizenship. And

Mr. Roberson presented a communication from Daniel Penrod, asking the privilege of drafting the scheme of a lottery.

Ordered that said petition and communication be severally referred to the committee of propositions and grievances.

Mr. Maury presented

A plat and certificate of survey, shewing a deficiency in Grant No. 358, issued to G. Dougherty, of 270 acres.

Ordered that said papers be referred to the committee on land claims.

Mr. Dunlap, from the committee on internal improvements, reported a bill supplemental to an act passed December 6th, 1825, authorising William Reynolds, of the county of Greene, to open a turnpike road across Paint Mountain.

Which bill was read the first time and passed.

Ordered that the clerk acquaint the Senate therewith.

Mr. McGanghey from the committee of propositions and grievances, made a report upon the petition of Jesse Byrd, and upon the petition of the citizens of Morgan county, praying the establishment of a second class road.

And the resolution therein contained was concurred in by the House as follows, to wit:

Resolved, That the prayer of the petitioners respectively ought not to be granted.

Mr. Carriger, from the committee for enrolled bills, reported an act to divorce Robert Baker from his wife Charlotte, and for other purposes, truly enrolled.

The Speaker signed the said act.

Ordered that the clerk acquaint the Senate therewith.

Mr. Allen introduced

A bill to amend the laws heretofore passed, authorising each county to establish and control a poor house.

Mr. Easily introduced.

A bill to appoint Hugh Houston a commissioner for the town of Rutledge. And

Mr. Claiborne introduced

A bill to establish houses of correction.

Which bills were severally read a first time and passed.

Ordered that the clerk acquaint the Senate therewith.

A message from the Senate by Mr. Hill their clerk.

Mr. Speaker,

The Senate have adopted a resolution appointing Justices of the Peace for Carroll county, in which they ask your concurrence.

And then he withdrew.

When the question was taken on agreeing to the said resolution and determined in the affirmative.

Ordered, that the clerk acquaint the Senate therewith.

A bill to authorise the drawing of a lottery to clear out the obstructions in Obeds river,

Was read a second time and passed,

Ordered, that the clerk acquaint the Senate therewith.

Mr. Cheatham introduced

A resolution in relation to the inspection of tobacco at the city of New Orleans.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered that the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Brown introduced

A resolution authorising the Governor to furnish B. W. Martin of Giles county, with a piece of artillery.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered that the clerk acquaint the Senate therewith, and ask their concurrence therein.

A bill for the benefit of the Samuel Houston and Lafayette academies,

Was read a second time and rejected.

Bills from the Senate of the following titles, to wit:

A bill to incorporate the Columbia rail road company; a bill to allow the Sheriffs of Dyer and Obion counties longer time for the payment of certain taxes; a bill to relieve the distresses of the good people of this state; a bill to amend the militia laws; a bill limiting prosecutions for misdemeanors; a bill concerning the publication of the decisions of the Supreme court; a bill to regulate the State tax on law suits; a bill to appropriate one half of the State tax to county purposes; a bill supplemental to the act appropriating the school lands in the Hiwassee District; a bill to encourage the manufacture of Iron; a bill to establish a Treasury department in the mountain district; and a bill to fix the time of holding Regimental musters in the 11th Brigade.

Were severally read a first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. McFarland introduced a bill to refund certain monies to Samuel Box.

Which bill was read the first time and passed.

A bill to incorporate a Female Academy at Athens.

Was read a second time and passed.

A bill to incorporate the Columbia and Franklin Turnpike company, and a bill for the benefit of Richard C. Napier,

Were severally read a third time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The court of Impeachment being ready to proceed with the trial of Judge Haskell, and requesting the attendance of the managers,

The House adjourned.

FRIDAY, NOVEMBER 18, 1831.

The Speaker laid before the House a report from the Treasurer of East Tennessee, in compliance with a Resolution of this House of the 10th inst. in relation to the Academy funds.

Ordered, that said report be referred to the select committee on the Academy monies.

Mr. Claiborne presented a petition on behalf of John H. Benningfield, to hawk and peddle without license.

Ordered, that said petition be referred to the committee of propositions and grievances.

Mr. Saury presented a petition of Orange Ham, praying the passage of an act releasing him from the payment of a brace of pistols destroyed by fire, and a petition of sundry citizens of Williamson county, praying the passage of an act exempting persons from military duty, who may have served eight years in a volunteer company.

Ordered, That the first of said petitions be referred to the committee of propositions and grievances, and the last of said petitions to the committee on military affairs.

Mr. Holland presented a petition of Jephtha Gardner and others, securities of John D. Calvert, late Sheriff of Weakly county.

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. Hatley presented a petition for the appointment of Justices of the peace in Fayette county.

Ordered, That said petition be referred to the committee on Justices of the Peace.

Mr. McGaughey from the committee of propositions and grievances, made a report upon the petition of Daniel Penrod—and the resolution therein contained was concurred in by the House as follows, to wit:

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Nevins, from the committee of captains' companies and justices of the peace, reported a resolution appointing a justice of the peace for Hickman county.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Boddie, from the committee on education, reported a bill to amend an act entitled an act to establish a system of common schools and to appropriate the school fund of this state.

Which bill was read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

T House.

Mr. McGaughey, from the committee of retrenchment, reported a bill to reduce the fees of Clerks in certain cases.

Which bill was read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill for the benefit of Hugh McIntyre and others, was read a third time and rejected.

A bill to authorize a precinct election in Fentress county and for other purposes—A bill to authorize the register of Carroll county to keep his office at his own house—a bill for the relief of the Clerk of the circuit court of Claiborne county—a bill to authorize Amos Marney to open a turnpike road—a bill to extend the time of making surveys, South and West of the congressional line—a bill to authorize the county court of Tipton, to appropriate certain surplus monies to the building of a court house in Covington—a bill to incorporate the town of Troy—and, a bill for the relief of the personal representatives of Jno. McEwen, and the legal heirs of James McKamey,

Were severally read a third time and last time, passed, and ordered to be engrossed.

The court of impeachment being ready to proceed with the trial of Judge Haskell, and requesting the attendance of the managers,

The House adjourned.

SATURDAY, NOVEMBER 19, 1831.

Mr. McFarland presented a claim of James Bradford, sheriff of Jefferson county, and his guard for transporting a convict to the Penitentiary.

Ordered that said account be referred to the committee of claims.

Mr. Boddie presented a memorial of sundry citizens of Sumner county, in opposition to the passage of the bill, authorising persons to retail spiritous liquors, on the payment of fifteen dollars for a license,

Ordered, That said memorial lie on the table.

Mr. McGaughey, from the committee of propositions and grievances, reported a bill for the relief of Charles McNally; and, a bill for the relief of Orange Ham,

Which bills were severally read a first time and passed.

Ordered, That the clerk acquaint the Senate therewith.

Mr. McGaughey, from the same committee, made a report upon the petitions of Collins Roberts and James Rutherford; and the resolution therein contained was concurred in by the House as follows, to wit:

Resolved, That the prayer of the petitioners respectively ought not to be granted.

Mr. Cheatham, from the committee on military affairs, made a report upon the petition of the citizens of Williamson county, in favor of the exemption of certain volunteers from military duty after eight years' service; and the petition of the citizens of Jackson county, praying amendments to the militia laws; and the resolution therein contained was concurred in by the House as follows, to wit:

Resolved, That the prayer of the petitioners respectively ought not to be granted.

Mr. Carriger, from the committee for enrolled bills, reported bills of the following titles truly enrolled, to wit:

An act to extend the time of making surveys and entries south and west of the congressional line—an act to authorise the register of Carroll county to keep his office at his own house—an act for the relief of the personal representatives of John McEwen and James McKamey, deceased—an act to authorise the county court of Tipton to appropriate certain money for building a court house in Covington—an act for the relief of the clerk of the circuit court of Claiborne county, and for other purposes—an act to authorise Amos Marney to open a turnpike road—an act to authorise precinct elections in Fentress and Franklin counties—and an act to incorporate the town of Troy.

The Speaker signed the said acts.

Ordered, That the clerk acquaint the Senate therewith.

Mr. McLean introduced

A resolution directing the mode by which certain witnesses should be paid.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Easley introduced

A bill to reduce the tax on pedlars.

Mr. Roberson introduced

A bill authorising George W. Wood to open a turnpike road.

Mr. Holland introduced

A bill to authorise M. H. Howard and others to build a mill or iron works across Big Sandy river in Henry county.

Mr. Turney introduced

A bill for the benefit of John B. and Archibald C. Rogers, of Fentress county. And

Mr. McLean introduced

A bill for the relief of John Gray Blount and Thomas Blount's devisees.

Which bills were severally read a first time and passed.

Ordered, That the clerk acquaint the Senate therewith.

A bill for the relief of Albert Thomas—a bill to amend an act

to dispose of certain lands in Hawkins county, commonly called Simms' Big Survey—a bill to authorise Cain Bröyles to open a turnpike road—and a bill to incorporate the Tennessee manufacturing company,

Were severally read a third time and passed.

Ordered, That the clerk acquaint the Senate therewith.

A bill to exempt founders, hammermen, bloomers, tenders and others working at iron works from military duty, except in cases of insurrection and invasion,

Was read a third time.

And on the question, Shall the bill pass? it was determined in the negative.

YEAS 12

NAYS 23.

The yeas and nays being desired by the constitutional number of members.

Those who voted in the affirmative are,

Mr. Boddie, Carriger, Gillespy, James Gray, Hatley, Hardin, McGaughey, McLean, Nevins, Parris, Alexander E Smith and Stephenson.

Those who voted in the negative are.

Mr. Speaker Huling, Allen, Brown, Cheatham, Claiborne, Dickinson, Dunlap, Easley, Gordon, Gowen, Holland, Hurst, Inge, Kincaid, Maury, McFarland, Roberson, Rogers, Stockton, Turney, Vernon, Wright and Young.

And so the said bill was rejected.

A message from the Senate, by Mr. Hill their clerk.

Mr. Speaker,

The Senate concur in the resolutions of this House as follows, to wit:

A resolution relating to the inspection of tobacco at the city of New Orleans.

A resolution directing the payment of certain witnesses—and a resolution authorising the Governor to furnish B W. Martin, of Giles county, with a piece of artillery. The Senate have adopted a resolution appointing Justices of the Peace for Maury and Henry counties, in which they ask the concurrence of this House.

And then he withdrew.

On motion of Mr. Allen,

Resolved, That the President and directors of the Bank of the State of Tennessee, be required to report to this House immediately the name or names of any person or persons, who have at any time by checking or otherwise, drawn money from said bank, without having any therein, and the amount so drawn; provided sums overchecked under twenty five dollars, need not be in.

cluded in said report.

Resolved, further, That said President and Directors be required to report to this House immediately, the amount of the defalcation of the late officers of said institution—and the reasons why suit has not been commenced against them and their securities for the same.

On motion of Mr. Claiborne,

Resolved, That the court of impeachment for the trial of Judge Haskell, be invited to sit in the hall of this House, during the remainder of the trial of said Judge.

A bill to amend an act entitled an act to incorporate the Galatin Turnpike Company—a bill to incorporate the town of Cornerville, in the county of Giles—a bill to repeal the act of 1825, for the relief of Jotham Brown, in Greene county—a bill to extend the town of Sparta—A bill for the relief of the heirs of Anthony Gilliam, deceased—a bill appointing the time of holding regimental musters in the 99th regiment, and for other purposes—A bill for the benefit of the Quorum Court of Williamson county; and a bill to amend an act passed in 1829, chap. 52,

Were severally read a third time and passed.

Ordered, That the clerk acquaint the Senate therewith.

A bill for the relief of Cullen and Willie Bayless,

Was read a second time, amended on motion of Mr. Cheatham, and passed.

A bill for the benefit of Overton county; and a bill for the benefit of the purchasers of lots in the town of Sommerville,

Were severally read a second time and passed.

Ordered that the clerk acquaint the Senate therewith.

A bill for the benefit of Burwell Carter and others,

Was read a second time and rejected.

A bill to amend an act entitled an act to incorporate a medical society of the State of Tennessee,

Was read a second time.

Mr. Vernon made a motion to postpone the said bill indefinitely.

And the question being taken thereon, it was determined in the affirmative.

YEAS 19

NAYS 17

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Allen, Carriger, Dew, Dickinson, Gowen, James Gray, Holland, Hurst, McFarland, McGaughey, Nevins, Parris, Roberson, Alexander E. Smith, Stephenson, Stockton, Vernon, Wright and Young.

Those who voted in the negative are,

T2 House.

Mr. Speaker Huling, Boddie, Brown, Cheatham, Claiborne, Dunlap, Easley, Gillespy, Gordon, Hatley, Hardin, Inge, Kincaid, Maury, McLean, Rogers and Turney.

And so the said bill was rejected.

And then the House adjourned.

MONDAY, NOVEMBER 21, 1831.

Mr. Rogers presented a petition of Catharine Logan, praying to be divorced from her husband, David R. Logan.

Ordered that said petition be referred to the committee on divorces.

Mr. Rogers also presented the resignation of Benjamin F. Cloud, entry taker for Claiborne county.

Which was read and accepted.

Ordered that the clerk acquaint the Senate therewith.

Mr. Alexander E. Smith presented a petition of John Brabson, praying the passage of an act requiring the south channel of French Broad river, opposite Boggus's island, to be kept open.

Ordered that said petition be referred to the committee.

Mr. Kincaid presented a certificate of the county court clerk, of Bedford county, of the resignation of Justices of the Peace for said county.

Ordered that said certificate be referred to the committee of captains' companies and Justices of the Peace.

Mr. Dew presented a petition of 440 citizens of the counties of Smith, Wilson and Davidson, praying a lottery to enable them to make a turnpike road from Liberty, in Smith county, to John Hardins, in Davidson county.

Ordered that said petition be referred to the committee on internal improvements.

Mr. McLean presented a petition of sundry citizens of Henderson county, praying the appointment of Justices of the Peace in said county.

Ordered that said petition be referred to the committee on Justices of the Peace.

Mr. James Gray presented a petition of sundry citizens of Humphreys county, praying the appointment of Isaac Little as surveyor of said county. And

A petition of sundry citizens of Perry county, praying that Solomon Brants may be appointed a Justice of the Peace for said county.

Ordered that the first of said petitions lie on the table, and that the last of said petitions be referred to the committee on Justices of the peace.

Mr. Cheatham, from the committee on military affairs, report-

ed a bill exempting citizens of Marion county, attached to a troop of cavalry, from attending regimental musters.

Which bill was read a first time and passed.

Ordered that the clerk acquaint the Senate therewith.

A message from the Senate by Mr. Hill their clerk.

Mr. Speaker,

The Senate concur in your resolution appointing a Justices of the Peace for Hickman county. The Senate agree to sit in the hall of this house during the balance of the trial of Judge Haskell before the court of impeachment.

And then he withdrew.

Mr. Easley, from the committee on divorces, reported

A bill to divorce Henry Anderson from his wife Fanny.

Which bill was read a first time and passed.

Ordered that the clerk acquaint the Senate therewith.

Mr. Carriger, from the committee for enrolled bills, reported resolutions of the following titles truly enrolled, to wit:

A resolution directing the manner in which certain witnesses shall be paid. A resolution in relation to the inspection of tobacco at New Orleans. And a resolution directory to the Governor.

The Speaker signed the said resolutions.

Ordered, That the clerk acquaint the Senate therewith.

The House took up and concurred in the Senate's resolution appointing Justices of the Peace for Maury, Gibson and Henry counties.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. M'Gaughey introduced a bill to repeal the 13th Sec. of an act of 1779. ch. 10.

Mr. Dew introduced a bill to compel the owners of turnpike roads and toll bridges to keep the same in repair.

Mr. Hatley introduced a bill to appoint additional trustees for the Bolivar Female Academy—and Mr. McLean introduced a bill declaratory of the law concerning contempts of court.

Which bills were severally read a first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker—

The Speaker of the Senate did this day sign a resolution appointing Justices of the Peace for Carroll county and an act to incorporate the trustees of the Brownsvill Academy in the county of Haywood.

And then he withdrew—when

The Speaker signed the said act and resolution.

Ordered, that the same be deposited in the office of the Secretary of State.

A bill for the benefit of Nancy McClenathan and for other purposes—

Was read a third and last time—

And on the question "shall the bill pass and be engrossed"—It was determined in the affirmative.

YEAS 24

NAYS 12

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative, are, Messrs. Speaker Huling, Brown Carriger, Cheatham, Dew, Gillespie, Gordon, Gowen, George Gray, Hatley Hardin, Hurst, Inge, Kincaid, McLean, Nevins, Rogers, A. E. Smith, Joel R. Smith, Stockton, Vernon, Watkins and Wright.

Those who voted in the negative are, Messrs. Claiborne, Dickerson, Easley, James Gray, Holland, McFarland, McGaughey, Roberson, Stephenson, Turney and Young.

A bill to establish a 3d battalion in the 82nd regiment. And a bill to incorporate the town of Randolph, in the county of Tipton,

Were severally read a third time, and last time passed and ordered to be engrossed.

The court of impeachment for the trial of Judge Haskell being ready to proceed, and having to sit during the balance of the trial in the hall of this house, it therefore became necessary, for the dispatch of the public business, that this house should adjourn over until Thursday morning to suit the proceedings of the Senate—whereupon,

The House accordingly so adjourned.



THURSDAY, NOVEMBER 24, 1831.

The court of impeachment for the trial of Judge Haskell, not having gotten through with the said trial, and the senate having adjourned on that account until Saturday the 25th inst. this House accordingly also adjourned until that day.



SATURDAY, NOVEMBER 26, 1831.

Mr. Carriger, from the committee for enrolled bills, reported a resolution and bills of the following titles, truly enrolled, to wit:

A resolution appointing a justice of the peace for Hickman county—an act to incorporate the inhabitants of the town of Randolph—an act for the benefit of Nancy McClenathan and Rebecca McIntosh—and an act to establish a 3d battallion in the 82d regiment of militia.

The Speaker signed the said resolution and acts.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Joel R. Smith introduced a bill for the benefit of Wm. Polk.

Mr. Hatley introduced a bill for the relief of the heirs of Thos. Alsup dec'd—Mr. Brown introduced a bill to include the residence of John Andrews within the county of Giles—and Mr. Joel R. Smith introduced a bill establishing the town of Batavia in Carroll county.

Which bills were severally read the first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker—

The Senate have adopted a resolution appointing Justices of the Peace for the county of Wayne, in which they ask the concurrence of this house.

And then he withdrew; when it was

Ordered, that said resolution be referred to the committee on Justices of the Peace.

Mr. Vernon introduced the following joint resolution, to wit:

Resolved, by the General Assembly of the State of Tennessee, That the two houses will adjourn without day on the 20th of December next—and that no bill shall be introduced or reported into either House after the 10th day of the said month of December.

Mr. Young made a motion to amend the said resolution, by striking out the word 20th for the purpose of inserting in lieu thereof the word 15th—so that the adjournment of the Legislature should take place on the 15th of December.

And the question being taken thereon, it was determined in the affirmative.

YEAS 24

NAYS 10

The yeas and nays being desired by the constitutional number of members.

Those who voted in the affirmative are, Messrs. Allen, Brown, Carriger, Dickinson, Gordon, James Gray, Geo. Gray, Hatley, Holland, Hurst, Inge, Kincaid, Maury, McGaughey, Nevins, Parris, Roberson, Alex. E. Smith, Stephenson, Stockton, Vernon, Watkins, Wright and Young.

Those who voted in the negative, are, Messrs. Speaker Huling, Claiborne, Dobbins, Dunlap, Gowen, Hardin, McFarland, McLean, Rogers and Joel R. Smith.

Mr. Maury made a motion further to amend the said resolution, by striking out the word 10th, for the purpose of inserting in lieu thereof the word 5th, as the time at which the reporting and introduction of Bills should be limited.

And the question being taken thereon, it was determined in the affirmative.

Whereupon, the question was taken on agreeing to the said resolution as amended, and determined in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith, and ask their concurrence therein.

On motion of Mr. Dunlap,

The House took up the bill to incorporate a board of internal improvement in that part of the State east of Cumberland mountain.

Mr. Kincaid made a motion to amend the said bill by adding thereto the following proviso at the end of the 7th section, to wit:

“Provided the amount so drawn, shall not diminish the active means of the principal bank & branch, so as to disable either of them from paying the claims to which either of them may be at any time liable.”

And the question being taken thereon, it was determined in the negative.

Mr. Boddie made a motion to amend the said bill by adding thereto a proviso in the following words, to wit:

“Provided always that the sum of five hundred and three dollars, heretofore paid for the Suck and Boiling Pot in the Tennessee river, shall be first deducted out of the aforesaid sum of sixty thousand dollars.”

And the question being taken thereon, It was determined in the negative.

YEAS 12

NAYS 25

The yeas and nays being desired by the constitutional number members,

Those who voted in the affirmative are, Messrs. Allen, Boddie, Brown, Gordon, Gowen, James Gray, George Gray, Hardin, Inge, Kincaid, Maury, and Watkins.

Those who voted in the negative are, Messrs. Speaker Huling, Carriger, Claiborne, Dickinson, Dobbins, Dunlap, Easley, Gillespie, Hatley, Holland, Hurst, McFarland, McGaughey, McLean, Nevins, Parris, Roberson, Rogers, Alex. E. Smith, J. R. Smith, Stephenson, Stockton, Vernon, Wright and Young.

Whereupon, the said bill was read a third time and last time.

And on the question “shall the bill pass and be engrossed,” it was determined in the affirmative.

YEAS 31

NAYS 6

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are, Messrs. Speaker Huling, Carriger, Claiborne, Dickinson, Dobbins, Dunlap, Easley, Gillespie, Gowen, James Gray, George Gray, Hatley, Hardin,

Holland, Hurst, Inge, Maury, McFarland, McGaughey, McLean, Nevins, Parris, Roberson, Rogers, A. E. Smith, J. R. Smith, Stephenson, Stockton, Vernon, Wright and Young.

Those who voted in the negative are, Messrs. Allen, Boddie, Brown, Gordon, Kincaid and Watkins.

And so, the bill passed and was ordered to be engrossed.

And then the House adjourned at 7 o'clock, P. M.

MONDAY, NOVEMBER 28, 1831.

The Speaker laid before the House, reports from the President and directors of the Bank of the State in compliance with the joint resolution of the two houses of the 26th of September, and also of this House of the 19th inst.

Ordered, that said reports lie on the table.

Mr. McGaughey presented petitions of sundry citizens of Greene county, praying the appointment of Richard West, Mordecai Lincoln, Charles Gass, Joseph Johnson, John Nelson, John Dodd, Jr. Andrew McPherrin, Andrew English, Philip Easterly, David Logan, John J. Broyles and Reuben Murray, as Justices of the Peace for Greene county.

Ordered, that said petitions be referred to the committee on Captain's companies, and justices of the peace.

Mr. Easley presented a petition of James Joice, praying the passage of an act authorising him to hawk and peddle without license—and Mr. Rogers presented a petition of James Carroll, praying the passage of an act restoring him to the privileges of citizenship.

Ordered that said petitions be severally referred to the committee of propositions and grievances.

Mr. Alexander E. Smith presented a report of the common school commissioners of Sevier county.

Ordered, that said report be referred to the committee on education.

Mr. Vernon presented the resignation of James Swan, as a Justice of the Peace for Rhea county.

Ordered that said resignation be referred to the committee of captain's companies and Justices of the Peace.

Mr. Allen presented the return of the chancery court clerk at Carthage.

Ordered that said return be referred to the committee on finance.

Mr. James Gray presented a petition of Sterling Dillehay, praying to be divorced from his wife Polly.

Ordered that said petition be referred to the committee on divorces.

Mr. McLean presented sundry documents in relation to the appointment of Justices of the Peace for the counties of Madison, Haywood and Henderson.

Ordered that said papers be referred to the committee on captains' companies and Justices of the Peace.

Mr. Joel R. Smith presented petitions of the citizens of Huntingdon, praying the repeal of an act of 1829.

Ordered that said petitions be referred to the committee of propositions and grievances.

Mr. Hatley presented the return of Justices of the Peace from the county court clerk of Shelby county.

Ordered that said return be referred to the committee on captain's companies and Justices of the Peace.

Mr. Nevins, from the committee on captain's companies and Justices of the Peace, reported

A resolution appointing Justices of the Peace for the counties of Gibson, Dyer, Sumner, Campbell and Giles.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered that the clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Boddie, from the select committee on banks, to whom was referred a resolution instructing said committee to examine into the condition of the bank of the State; made a report which was read at the clerk's table, and is as follows, to wit:

The committee on the part of this House, who were directed to examine into the condition of the Bank of the State, have performed that duty, and beg leave to submit the following report:

The committee took up the report of the President and directors of the Bank, submitted to the General Assembly at the present session, and examined the same, item by item, with a view to ascertain its correctness. But, owing to the great negligence of the late Cashier and Clerk, in keeping the accounts and posting up the books of the Bank, the committee could not satisfy themselves of the correctness of the first item of said report—the amount charged to Joel Parrish, late Cashier, of \$47,656 38. That amount may be considerably increased or diminished by further examination; for since the commencement of the session, two new items have been set down against the late Cashier, and one passed to his credit;—thereby lessening the amount charged against him in the sum of \$351 51—which will be more fully seen by comparing the bank report made out by the examining committee, herewith filed, marked A, with the report of the President and Directors of the Bank before alluded to.

The vouchers, shewing the amount paid by the Bank on account of the Penitentiary, and the Board of Internal Improvement, were examined and found to be correct; and from an exam-

ination of the entries made in the books of the Bank, the amount stated to be deposited in other banks was found to be correct.

The committee caused to be drawn up a complete list (herewith filed, marked B) shewing the amount of notes under discount, the names of the drawers and their securities, the dates when drawn and when due, with explanatory remarks, shewing the particular description of contract on which each note is founded. They compared the list so drawn up with the notes on file in the Bank and found them to agree.

They also caused to be drawn up a list of Judgments (see exhibit B.) that have been granted in favor of the Bank, stating the names of the drawers and securities, the amount of each judgment at the time when rendered, principal and interest, the amount paid on each judgment, and the balance remaining unpaid. The judgments were compared with the officers' receipts, and memoranda on the books of the Bank, and ascertained to be correct.

The committee also examined a list of such notes (see exhibit B) as have not been regularly renewed, stating the names of the drawers and securities, the amount of each, and date when due; which notes were compared with the list and found to be correct. And a list of overcheckers (see exhibit B) was compared with the balances on Leger C and found to be correct.

The committee likewise caused a list to be made of the names of the acting agents in all the counties, together with the names of each Agent's securities, and the amount with which each agent stands charged on the books of the Bank: Also, a list shewing the balances due by agents in default—which lists are herewith filed marked C. The committee had no means of ascertaining the correctness of these lists, but by comparing them with the books of the Bank.

They likewise caused to be made out a statement of the amount and each particular item of expenses of the principal Bank, incurred for the year 1830, herewith filed, marked D, which amount is ascertained to be \$7,969 54.

To a part of the committee was assigned the task of ascertaining the amount of the Bank's own notes in its vaults. These notes were put up in packets, and contained in three boxes, which were sealed and labelled with the names of those who had previously counted their contents. Upon each packet, likewise, were the names of those who had counted them, as also the amount which it contained. They proceeded to take a duplicate list of the number of packets, and their estimate amount, which agreed with the report of the President and Directors of the Bank;—with the slight discrepancy of two dollars, occasioned perhaps, by misstating a figure, as a 7 for a 9, or a 5 for a 3. They broke the seals of several of the packets, and

found their contents to correspond with the labels upon them. They did not proceed further in counting, because they had not time to go through the whole, & because they had, from the examinations entered into, entire confidence in the correctness and accuracy of the estimates made by the Directory.

To another portion of the committee was assigned the duty of counting the specie in the vault of the bank; who found 65 boxes, marked to contain \$1000 each. All of the boxes were weighed, opened and examined; and many of them were counted, and found to contain the sum of \$1000 each. The money kept out for daily use was also counted, as also a package of counterfeit notes. All which is correctly stated in exhibit A.

On account of the daily transactions of the Bank, between the 24th of September and 17th of November, it will be seen that there is a variance between most of the same items as set forth in the Bank statement, made out by the President and Directors, and the statement of the condition of the bank, marked A. made out by the committee. Both statements, however, are believed to be substantially the same; although some items have been considerably increased; while others have been proportionably diminished, since the report made by the President and Directors—circumstances inseparable from banking operations.

By a reference to exhibit A, it will be found that the amount of debts, which properly belong to the principal Bank at Nashville, may be comprised under the following heads:

To amount charged to Joel Parrish, late cashier,	\$47,284 87
“ “ due by the Nashville Bank,	30,297 16
“ “ notes under discount,	89,180 63
Suspended debt (overcheckers and Leger balances,)	18,913 02
“ “ notes and judgments,	40,800 83

Making the aggregate sum of . . . \$226,476 95

Which, from the best information the committee could obtain, may be classed under the following heads.

Doubtful debts,	\$54,763 49
Insolvent do.	13,667 01
Disputed do.	5,019 89
Well sec'ed do.	153,026 57—\$226,476 96

The principal bank is liable, when called upon, to the payment of \$146,938 40

Which may be classed under the following head.

Treasurer's deposits,	\$65,950 19
Interest, school fund,	5,310 50
Individual deposits,	23,691 88
Academy fund,	16,887 31
Probable am't. int'est on Acad. fund,	5,700 00
Sundry county academies,	763 28

Own notes in circulation,	28,635 29—	\$146,938 40
The means of the bank to meet these liabilities, consist of		
Deposites in other banks,	57,203 92	
Specie on hand,	65,404 35	
Notes of other banks,	9,553 16—	\$132,161 43
Making a deficiency in the means of the principal bank to meet its liabilities on demand of		
	\$14,776 97—	\$14,776 97
The Branch Bank at Knoxville is liable when called upon for \$27,888 22, namely,		
Own notes in circulation,	\$ 399 00	
East Tennessee Academy money,	3,014 67	
Interest on do	643 62	
E. Tenn. Academy money and in'st.	23,830 93	
Individual deposits,	1,906 56—	\$29,794 78
The means of the Branch Bank to meet these liabilities are,		
Cash on hand & notes of other B'ks,	\$96,565 00	
Specie on hand,	12,000 95—	\$108,565 95
Making,	\$108,565 95	
Deduct amount of liabilities,	29,794 78	
Leaves a balance in favor of the means of the Br.		
Bank of		\$78,771 17
From which, if we deduct the deficiency in the principal bank of		
		14,776 97

There will remain the sum of \$63,994 20
Over and above the amount of the joint liabilities of both the Principal and Branch Bank.

On motion of Mr. Allen,
Ordered, That 5000 copies of said Report be printed.

Mr. Vernon introduced

A bill to incorporate a Female Academy in the county of Rhea.

Mr. McLean introduced

A bill to authorise the drawing of a lottery for the purposes therein mentioned.

Mr. Joel R. Smith introduced

A bill for the relief of David Weir.

Mr. Rogers introduced

A bill to prevent nonresidents from grazing their stock in the counties of Claiborne and Campbell.

Mr. Kincaid introduced

A bill requiring acts of a public and general nature to be bound.

Mr. Hardin introduced

A bill to prevent citizens of one county from practising impositions on those of another county.

Mr. Holland introduced

A bill for the benefit of Henry Lightfoot and Joseph Hodge.

Mr. Kincaid introduced

A bill supplemental to an act providing for leasing of school lands in Middle Tennessee.

Mr. Joel R. Smith introduced

A bill for the relief of Samuel Ingram.

Mr. Hardin introduced

A bill to grant a preference of entry for a meeting house and camp ground. And

Mr. Stockton introduced

A bill to authorise Jesse Matlock to erect water works on a sluice in the Tennessee river.

Which bills were severally read a first time and passed.

Ordered, That the clerk acquaint the Senate therewith.

Mr. Hatley introduced

A resolution relative to the vacant and unappropriated lands south and west of the Congressional reservation line, and west of the Tennessee river.

Ordered, That said resolution lie on the table.

Mr. Carriger, from the committee for enrolled bills, reported an act to incorporate a board of internal improvement in East Tennessee, truly enrolled.

The Speaker signed the said act.

Ordered, That the clerk acquaint the Senate therewith.

A bill further to define and extend the jurisdiction of Justices of the Peace. A bill for the benefit of William Moore. A bill to extend an act concerning the Register of the Hiwassee District. And a bill to authorise the drawing of a lottery to remove the obstructions to the navigation of Obeds river,

Were severally read a third time and passed.

Ordered, That the clerk acquaint the Senate therewith.

A bill to ascertain the centre of Overton county, and to remove the seat of justice therein.

Was taken up by the House, and,

On motion of Mr. Nevins,

Ordered, that the title of said bill be, A bill to provide for the permanent establishment of the seat of Justice in Overton county.

Whereupon,

The said bill was further amended on motion of Mr. Nevins, and read a second time and passed.

Ordered, that the clerk acquaint the Senate therewith.

The House took up the bill to authorise Timothy Dodson to build a bridge across Stone's river.

The said bill was amended on motion of Mr. Dickinson.

Whereupon,

Mr. Dickinson made a motion further to amend the said bill by adding thereto a proviso in the following words, to wit:

"Provided, however, each of the pillars of said bridge shall be twenty feet from the centre of the river, and the bridge shall be fifteen feet above high water mark"

And the question being taken thereon, it was determined in the negative.

Whereupon, the said bill was read a third time and passed.

Ordered, that the clerk acquaint the Senate therewith.

A bill giving the purchasers and enterers of land in the Hiwassee District further time to obtain their grants,

Was read a third time, amended on motion of Mr. Hurst, and passed.

Ordered, that the clerk acquaint the Senate therewith.

A bill for the benefit of Joseph Daney. A bill directing the payment of the cost therein named. A bill for the relief of those persons who are about to be injured by the loss of papers, occasioned by the Hurricane at Charlotte in 1830. A bill to incorporate the Clarksville and Russellville rail road company. A bill to divorce Elizabeth Linn from her husband Jacob Linn. And a bill to legitimate Armstead Parrott,

Were severally read a second time and passed.

Ordered, that the clerk acquaint the Senate therewith.

A bill for the benefit of Aaron Lancaster,

Was read a second time and rejected.

A bill to change the time of holding the county courts of Dyer and Obion counties. A bill to explain and amend an act of 1829, chap. 29, more effectually to provide for emancipating slaves. A bill to authorise the sheriff of Hardeman county to pay over certain money. And a bill to authorise the Treasurer of East Tennessee to pay certain monies,

Were severally read a third time and last time, passed and ordered to be engrossed.

And then the House adjourned.

TUESDAY, NOVEMBER 29, 1831.

Mr. Rogers presented a petition of William Murphy, praying the passage of an act authorising the court of Claiborne county to make him an additional allowance for building a jail.

Ordered, that said petition be referred to the committee of propositions and grievances.

Mr. Dunlap presented a memorial of J. G. M. Ramsey, James U2 House.

King and Drury P. Armstrong, the Knoxville central committee, presenting the advantages of a communication from the waters of the Tennessee river to Charleston, S. C. by means of a rail road,

Ordered, that said memorial be referred to the committee on internal improvement.

Mr. Watkins presented the resignation of Peter W. Lucas as a Justice of the Peace for Sumner county.

Ordered, that said resignation be referred to the committee on captains' companies and Justices of the Peace.

Mr. Dickinson presented a petition of F. Renshaw and others. And

A petition of sundry citizens of Rutherford county, praying amendments to the militia laws, by changing the time of holding battallion musters.

Ordered, that the first of said petitions be referred to the committee on the Kentucky line; and the last of said petitions to the committee on military affairs.

Mr. Claiborne presented a petition of Austin Gresham, praying the passage of an act authorising him to sell a slave.

Ordered, that said petitions be referred to the committee on propositions and grievances.

Mr. McGaughey, from the committee of propositions and grievances, reported a bill to repeal an act authorising the mayor and aldermen of the town of Huntingdon to sell certain allies. And a bill to restore James Carroll to the privileges of citizenship.

Which bills were read the first time and passed.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Watkins, from the committee of claims, reported a bill for the benefit of Daniel Mading.

Which bill was read the first time and passed.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Watkins, from the same committee, made a report upon the petition of James Campbell and John Goodwin; and upon the petition of Thomas Hord and others,

And the resolution therein contained was concurred in by the House as follows, to wit:

Resolved, That the prayers of the petitioners respectively ought not to be granted.

Mr. Nevins from the committee of Captains' companies and justices of the peace, reported a resolution appointing justices of the peace for the counties of Shelby, Hardin and Franklin.

And the question being taken on agreeing thereto it was determined in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Nevins from the same committee, reported the Senate's resolution appointing justices of the peace for the county of Wayne, with an amendment, to wit: Strike out the names of Wm. B. Henry, Jame Kyle, and Alfred Haggard.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Whereupon,

The question was taken on agreeing to the said resolution as amended,

And determined in the affirmative.

Ordered that the clerk acquaint the Senate therewith.

Mr Carriger, from the committee for enrolled bills, reported bills of the following titles, truly enrolled, to wit:

An act to authorize the Sheriff of Hardeman county to pay over certain monies—an act to change the time of holding the county courts of Dyer and Obion counties—an act to authorize the treasurer of East Tennessee to pay certain monies—and an act to explain and amend an act of 1829, more effectually to provide for emancipating slaves.

The Speaker signed the said acts.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Brown, from the committee on the judiciary, reported the bill explanatory of an act entitled an act to help and speed poor persons in obtaining their just rights, with an amendment, which was agreed to by the house,

When the said bill was read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Brown, from the same committee, reported the bill prescribing the mode of proving deeds executed out of the State, when the bargainor and witnesses are dead, without amendment, and recommended the rejection of the bill.

Whereupon,

The said bill was read a second time and rejected.

Mr. Brown from the same committee, made a report upon the petition of Wm. L. Willis and others, and also upon the petition of Samuel H. Davidson.

And the resolution therein contained was concurred in by the house as follows, to wit:

Resolved, That the prayer of the petitioners respectively ought not to be granted.

Mr. Brown, from the same committee made a motion to discharge the committee from the further consideration of the petition of the citizens of Maury county in relation to grocery keepers—also the resolution of instruction in relation to coroner's fees—also the resolution of instruction in relation to the administration of estates—and the petition of the citizens of White and Overton, praying the removal of the commissioners of Officer's turnpike road.

Ordered, That the committee be discharged from the farther consideration of the aforesaid resolutions and petitions.

Mr. Brown, from the same committee, made a detailed report upon the subject of free people of color—and reported the bill concerning free persons of color, with sundry amendments, which were read and agreed to by the house.

Mr. Allen made a motion further to amend the said bill by adding at the end of the first section the following words, to wit:

“Unless such person or persons shall enter into bond with good and sufficient security in the sum of one thousand dollars for their good behavior.”

And the question being taken thereon, it was determined in the negative.

YEAS 11

NAYS 25

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Allen, Cheatham, Easley, Gillespie, Gowen, George Gray, Hatley, Hardin, McGaughey, Nevies and Wright.

Those who voted in the negative are,

Messrs. Speaker Huling, Boddy, Brown, Carriger, Claiborne, Dew, Dickinson, Dobbins, Gordon, James Gray, Holland, Hurst, Inge, McFarland, McLean, Roberson, Rogers, A. E. Smith, J. R. Smith, Stephenson, Stockton, Turney, Vernon, Watkins and Young.

Mr. Easley made a motion to amend the said bill by striking out the second section.

And the question being taken thereon, it was determined in the affirmative.

YEAS 28

NAYS 10

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs Speaker Huling, Allen, Boddie, Cheatham, Dew, Dickinson, Easley, Gordon, Gowen, James Gray, George Gray, Hatley, Hardin, Holland, Hurst, Maury, McFarland, McGaughey, McLean, Nevins, Parris, Roberson, Rogers, A. E. Smith, Turney, Vernon, Wright and Young.

Those who voted in the negative are,

Messrs. Brown, Carriger, Claiborne, Dobbins, Gillespy, Inge, Joel R. Smith, Stephenson, Stockton and Watkins.

On motion of Mr Wright,

Ordered, That the question on the passage of said bill be taken separately on the several sections thereof.

Whereupon,

The question was put will the House pass the first section of the bill?

And determined in the affirmative.

YEAS 30

NAYS 7

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Speaker Huling, Allen, Boddie, Brown, Carriger, Claiborne, Dew, Dickinson, Dobbins, Gordon, Gowen, James Gray, George Gray, Hatley, Holland, Hurst, Inge, McFarland, McLean, Nevins, Parris, Roberson, Rogers, A. E. Smith, J. R. Smith, Stephenson, Stockton, Turney, Vernon Watkins, and Wright.

Those who voted in the negative are,

Mr Cheatham, Easley, Gillespie, Hardin Maury, McGaughey and Young.

Whereupon the question was further put,

Will the House pass the 3d section of the bill?

And determined in the negative.

YEAS 17

NAYS 21

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Speaker Huling, Brown, Carriger, Claiborne, Dickinson, Dobbins, Dunlap, Gowen, Hatley, Hurst, Inge, Roberson, Alex. E. Smith, Joel R. Smith, Stephenson, Turney, and Watkins.

Those who voted in the negative are,

Messrs. Allen, Boddie, Cheatham Easley, Gillespie, Gordon, James Gray, Geo. Gray, Hardin, Holland, Maury, McFarland, McGaughey, McLean, Nevins, Parris, Rogers, Stockton Vernon, Wright and Young.

Whereupon, the question was further put,

Will the House pass the 4th section of the bill?

And determined in the affirmative.

YEAS 20

NAYS 18

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Speaker Huling, Allen, Boddie, Brown, Carriger, Claiborne, Dickinson, Dobbins, Gordon, Gowen, Hatley, Holland, Inge, Maury, McLean, Roberson, A. E. Smith, Joel R. Smith, Turney and Watkins.

Those who voted in the negative are,

Messrs. Cheatham, Dunlap, Easley, Gillespie, James Gray, Geo. Gray, Hardin, Hurst, McFarland, McGaughey, Nevins, Parris, Rogers, Stephenson, Stockton, Vernon, Wright and Young.

Whereupon the question was further put,

Will the house pass the 5th section of the bill?

And determined in the affirmative.

And so, the bill passed with the 1st, 4th and 5th, of the original sections therein—the 2nd section having been stricken out, and the 3d section rejected.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Brown thereupon from the same committee, reported the bill to prevent clerks, Sheriffs and constables from speculating in county claims, without amendment, and recommended the rejection of the bill.

Whereupon,

Mr. Turney made a motion to amend the said bill, by striking out the whole thereof, from the words "A bill," for the purpose of inserting in lieu thereof the following words, to wit:

"Be it enacted by the General Assembly of the state of Tennessee, That all laws and parts of laws, prohibiting attorneys at law from taking conditional fees in suits, or preventing any person from making any contract as he may think proper with an attorney to do his business, be and the same are hereby repealed."

And the question being taken thereon, it was determined in the negative.

YEAS 9

NAYS 30

The Yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Speaker Huling, Claiborne, Dew, Dunlap, Geo. Gray, Hatley, Inge, Parris and Turney.

Those who voted in the Negative are,

Messrs. Allen, Boddie, Brown, Carriger, Cheatham, Dickinson, Dobbins, Easley, Gillespie, Gordon, Gowen, James Gray, Hardin, Holland, Hurst, Kincaid, Maury, McFarland, McGaughey, McLean, Nevins, Roberson, Rogers, A. E. Smith, Joel R. Smith, Stephenson, Stockton, Vernon, Watkins, Wright & Young.

Whereupon,

The said bill was read a second time.

And on the question, Shall the bill pass? it was determined in the negative.

YEAS 6

NAYS 33

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative, are,

Messrs. Kincaid, Parris, Joel R. Smith, Turney, Wright, and Young.

Those who voted in the negative are,

Messrs. Speaker Huling, Boddie, Brown, Carriger, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Dunlap, Easley, Gillespie, Gordon Gowen, James Gray, Hatley Hardin, Holland, Hurst, Inge, Maury, McFarland, McGaughey, McLean, Nevins, Roberson, Rogers, A. E. Smith, Stephenson, Stockton, Vernon and Watkins.

And so the said bill was rejected.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker—

The Senate concur in the resolution of this House appointing Justices of the Peace for the counties of Gibson, Dyer, Sumner, Giles and Campbell.

And then he withdrew.

Mr. Dunlap introduced

A bill to repeal an act entitled an act to provide a permanent office for the public papers of the State. And a bill to distribute the surplus books in the Secretary's office, and for other purposes.

Which bills were severally read a first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill to revive the act incorporating the turnpike company from Murfreesboro to Nashville. And a bill authorising Hasting Poe and Asahel Rawlings to open a turnpike road,

Were severally read a second time and passed,

Ordered that the clerk acquaint the Senate therewith.

Mr. Carriger, from the committee for enrolled bills, reported a resolution appointing Justices of the Peace for the counties of Gibson, Dyer, Sumner, Giles and Campbell, truly enrolled.

The Speaker signed the said resolution.

Ordered, that the Clerk acquaint the Senate therewith.

The House took up the bill to reduce the salaries of the Judges.

Mr. Allen made a motion to take the question separately on each section of the bill.

And the question beng taken thereon, it was determined in the negative.

YEAS 18

NAYS 22

The yeas and nays being desired by the constitutional number of members.

Those who voted in the affirmative are,

Messrs. Speaker, Huling, Allen, Brown, Carriger, Cheatham, Claiborne, Dew, Gillespy, Gordon, Gowen, McFarland, McLean, Nevins, Parris, Joel R. Smith, Stockton, Turney and Watkins.

Those who voted in the negative, are,

Messrs. Boddie, Dickinson, Dobbins, Dunlap, Easley, James

Gray, Geo. Gray, Hatley, Hardin, Holland, Hurst, Inge, Kincaid, Maury, McGaughey, Roberson, Rogers, Alex. E. Smith, Stephenson, Vernon, Wright and Young.

Mr. Boddie made a motion to amend the said bill by adding thereto a section in the following words, to wit:

"Be it enacted, that the Speaker of the Senate and of the House of Representatives, shall each be allowed the sum of four dollars per day for each day they may attend this session, and the sum of three dollars each for every twenty-five miles they may travel to and from the same: That the members of the General Assembly be allowed each the sum of three dollars per day, for each day they may attend this session, and the like sum for every twenty-five miles they may travel to and from the same: That each clerk be allowed the sum of five dollars per day, for each day they may attend this session: And that each doorkeeper be allowed the sum of three dollars per day, for each day they may attend this session."

Mr. Dobbins made a motion to amend the said amendment by striking out the whole thereof from the word "enacted," in the first line, for the purpose of inserting in lieu thereof, the words following, to wit:

"That each member of the General Assembly shall vote for a particular sum as their per diem pay; and that each member shall be entitled to receive the amount for which he shall vote—and no more; provided the same shall not exceed four dollars per day.

And the question being taken thereon, it was determined in the negative,

YEAS 3
NAYS 36

The yeas and nays being desired by the constitutional number of members.

Those who voted in the affirmative are,

Mr. Dobbins, Gillespy, Rogers.

Those who voted in the negative are,

Mr. Speaker Huling, Allen, Boddie, Brown, Carriger, Cheat-ham, Claiborne, Dew, Dickinson, Dunlap, Easley, Gordon, Gowen, James Gray, Geo. Gray, Hatley, Hardin, Holland, Hurst, Inge, Kincaid, Maury, McFarland, McGaughey, McLean, Nevins, Parris, Roberson, Alexander E. Smith, Joel R. Smith, Stephenson, Stockton, Turney, Vernon, Watkins, Wright and Young.

The question recurring on Mr. Boddie's amendment, and being put,

Was determined in the negative.

YEAS 18
NAYS 22

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Boddie, Carriger, Cheatham, Dickinson, Dunlap, Easley, Gowen, Hardin, Hurst, Nevins, Maury, McGaughey, Parris, Roberson, Alex. E. Smith, Stephenson, Vernon, and Wright.

Those who voted in the negative are,

Messrs. Speaker Huling, Allen, Brown, Claiborne, Dew, Dobbins, Gillespie, Gordon, James Gray, George Gray, Hatley, Holland, Inge, Kincaid, McFarland, McLean, Rogers, J. R. Smith, Stockton, Turney, Watkins and Young.

Whereupon the said bill was read a third time.

And on the question Shall the bill pass, it was determined in the negative.

YEAS 17

NAYS 23

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Carriger, Claiborne, Easley, Gowen, Hurst, McFarland, McGaughey, Nevins, Parris, Roberson, Rogers, Alex. E. Smith, Stephenson, Stockton, Turney, Vernon and Wright.

Those who voted in the negative are,

Mr. Speaker, Huling, Allen, Boddie, Brown, Cheatham, Dew, Dickinson, Dobbins, Dunlap, Gillespie, Gordon, James Gray, George Gray, Hatley, Hardin, Holland, Inge, Kincaid, Maury, McLean, Joel R. Smith, Watkins and Young.

And so the said bill was rejected. And then the house adjourned.

WEDNESDAY, NOVEMBER 30, 1831.

A message from the Senate by Mr. Hill their clerk.

Mr. Speaker,

I am directed to deliver to this House the resignation of James Blackmore as surveyor for Sumner county. And a report from the President and directors of the Bank of the State in obedience to the joint resolution of the General Assembly of the 19th ult. The Speaker of the Senate did this day sign an enrolled bill entitled an act to establish a town in the county of Henry: And resolutions appointing Justices of the Peace for the counties of Weakly, Gibson, Henry, Dickson and Maury.

And then he withdrew—when

The Speaker signed the said act and resolutions.

Ordered, That the same be deposited in the office of the Secretary of State.

V House.

The Speaker laid before the House a petition of sundry citizens of Montgomery county, praying the passage of an act regulating the fees to be collected at Warehouses.

Ordered, That said petition lie on the table.

Mr. Hurst presented a petition of Nancy N. Turner, praying for a divorce; and

The resignation of Daniel Bradley as a Justice of the Peace for McMinn county.

Ordered, That said petition be referred to the committee on divorces; and the said resignation to the committee on Justices of the Peace.

Mr. McLean presented sundry documents in relation to the appointment of Justices of the Peace in Madison county.

Ordered, That said papers be referred to the committee on Justices of the Peace.

Mr. McGaughey, from the committee of propositions and grievances, made a report upon the petition of William Murphy; and the resolution therein contained was concurred in by the House as follows, to wit:

Resolved, That the prayer of the petitioners ought not to be granted.

On motion of Mr. Hurst,

The House took up the Senate's resolution providing for the appointment of a joint select committee to enquire into the propriety and expediency of extending the laws of the State to the southern limits thereof, and over that part of the country in the occupancy of the Cherokee Indians.

And the question being taken on agreeing thereto, it was determined in the affirmative; and Mr. Brown, Mr. Dunlap, Mr. Holland, Mr. Gordon, Mr. Hurst, and Mr. Watkins were appointed a committee on part of this House.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Stephenson introduced

A bill for the relief of Samuel Hunt, late sheriff of Washington county.

Mr. Allen introduced

A bill to amend the Judiciary system of this State. And

Mr. Gowen introduced

A bill to change the time of holding the county and circuit courts in the 11th Judicial circuit.

Which bills were severally read the first time and passed.

Ordered that the clerk acquaint the Senate therewith.

Mr. Cheatham introduced

A bill referring and authorising the adjudication and entry of certain land claims.

Ordered, That said bill lie on the table.

On motion of Mr. McGaughey,

Resolved, That no bill shall be taken up by the House, on the motion of any member, except such bills as may have been made the special orders of the day. And it shall be the duty of the Speaker to present bills for the consideration of the House in the order in which they lie on his table, and in such manner as will facilitate the dispatch of the public business.

On motion of Mr. Hatley,

The House took up the resolution in relation to the vacant and unappropriated lands south and west of the congressional reservation line, and west of the Tennessee river.

Mr. Claiborne made a motion to amend the said resolution by striking out the second resolve contained therein, in the following words, to wit:

Resolved, That in order to attain the above object, the State of Tennessee on such relinquishment will assume the responsibility of satisfying the holders of original and unappropriated military claims, properly chargeable upon said lands, and will moreover faithfully appropriate its proceeds to the use of common schools.

And the question being taken thereon, it was determined in the affirmative.

YEAS 29

NAYS 11

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Allen, Boddie, Brown, Carriger, Cheatham, Claiborne, Dickinson, Dobbins, Easley, Gillespy, Gordon, Hardin, Hurst, Kincaid, Maury, McFarland, McGaughey, Nevins, Parris, Roberson, Rogers, Alexander E. Smith, Stephens, Stockton, Vernon, Watkins, Wright and Young.

Those who voted in the negative are,

Mr. Dew, Dunlap, Gowen, James Gray, George Gray, Hatley, Holland, Inge, McLean, Joel R. Smith and Turney.

Whereupon,

The question was taken on agreeing to the said resolution as amended, and determined in the affirmative.

Ordered, That the clerk acquaint the Senate therewith.

Mr. Alex. E. Smith introduced

A bill to amend the first section of an act entitled an act to compel owners of mill dams on Little Pigeon river, in Sevier county to put slopes therein.

Which bill was read the first time and passed.

Ordered, That the clerk acquaint the Senate therewith.

A bill to establish precinct elections in Greene and other counties. A bill for the relief of the surveyor generals of the 13th and 11th Districts. And a bill to amend an act to compel the

commissioners of the town of Lawrenceburgh to close their business,

Were severally read the third time and last time, passed and ordered to be engrossed.

And then the House adjourned.

THURSDAY, DECEMBER 1st, 1831.

Mr. Easley presented a petition of sundry citizens of Grainger county, praying that William Sharp may be appointed a Justice of the Peace for said county.

Ordered, That said petition be referred to the committee on Justices of the Peace.

Mr. Turney presented a petition of sundry citizens of White county, praying alterations in the law, prescribing the mode of obtaining reviews of roads.

Ordered, That said petition lie on the table.

Mr. James Gray presented a petition of Elisha McKain, praying a divorce from his wife Constance.

Ordered, that the said petition be referred to the committee on divorces.

Mr. McLean presented a remonstrance of David Hay against the erection of a turnpike across Hatchee river; and

A petition of sundry citizens of Madison county, praying the passage of an act making Stephen McClary a free dealer.

Ordered, that said remonstrance be referred to the committee on internal improvement, and said petition to the committee on propositions and grievances.

Mr. Carriger, from the committee for enrolled bills, reported bills of the following titles truly enrolled, to wit:

An act to establish precinct elections at the places therein mentioned. An act for the relief of the surveyor generals of the 13th and 11th districts. And an act to amend an act to compel the commissioners of the town of Lawrenceburgh to close their business.

The Speaker signed the said acts.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Stephenson introduced

A bill for the benefit of the heirs of Col. John Tipton, of the House of Representatives; and

Mr. James Gray introduced

A bill for the benefit of Richard Rushing and Anderson Smith.

Which bills were severally read a first time and passed.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Easley introduced

A resolution appointing John Dennis, William Dodson, Thomas K. Howell and James Boyd, Jun. Justices of the Peace for Grainger county.

Ordered, that said resolution be referred to the committee on Justices of the Peace.

Bills from the Senate of the following titles were severally read the first time and passed, to wit:

A bill to compensate Samuel G. Smith for services rendered to the State. A bill to provide for the payment of patrols. A bill to amend an act passed at the present session giving further time for surveying entries and obtaining grants thereon. A bill for the benefit of Nathan Haggard. A bill to amend the act making entries in the Hiwassee district liable to execution. A bill for the relief of persons who may have balances of land warrants unappropriated in the surveyors' offices, south and west of the congressional reservation line. A bill to amend the act of 1829, for the relief of the occupants south and west of the congressional reservation line. A bill concerning the correction of grants, plats and certificates, and for other purposes. A bill for the relief of James C. and Joseph P. Neely. A bill to protect sheriffs, coroners and constables in the discharge of their duty. A bill to make lawful grants and entries within five miles of the narrows of Harpeth. A bill to authorise the erection of turnpikes and bridges across the middle and little north forks and bottoms of forked Deer river in Gibson county. A bill for the benefit of William Lamb. A bill concerning executions, issued by a Justice of the Peace on attachments. A bill to prevent fraudulent practices by the possession and removal of personal property. A bill more speedily to procure a distribution of the public funds in the several counties of this State, upon a basis of free white population. A bill for the benefit of James Childress. A bill for the relief of Vredenburg Thompson. A bill for the benefit of John McCrosky. A bill for the relief of Martin and William Mooney, jr. And a bill to amend an act of Oct. 9, 1817, regulating the town of Charlotte.

Ordered, That the clerk acquaint the Senate therewith.

A bill from the Senate for the benefit of Daniel McCandless of Blount county,

Was read the first time and rejected.

A message from the senate by Mr. Hill their Clerk.

Mr. Speaker—

The Senate have adopted a resolution appointing justices of the peace for Smith county, in which they ask the concurrence of this House.—The Speaker of the Senate did this day sign enrolled bills entitled an act to extend the town of Sparta, an act to incorporate the Franklin rail road company—and an act to authorize the drawing of a lottery to clean out obstructions in

V2 House,

the navigation of Obed's river, and to build a bridge across the same, and for other purposes—And then he withdrew—when,

The Speaker signed the said acts.

Ordered, That the Clerk deposite the same in the office of the Secretary of State,

Whereupon,

The House took up and concurred in the Senate's resolution appointing justices of the peace for Smith county.

Ordered, That the Clerk acquaint the Senate therewith.

The house took up a bill to authorize the construction of a bridge across Cumberland river at Nashville, near the mouth of broad street.

The said bill was amended on motion of Mr. Stephenson, and read a third time.

And on the question "shall the bill pass?" it was determined in the affirmative.

YEAS 28

NAYS 10

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Speaker Huling, Allen, Boddie, Carriger, Cheatham, Claiborne, Dew, Dickinson, Dunlap, Easley, Gordon, Gowen, James Gray, George Gray, Hatley, Holland, Hurst, McFarland, McGaughey, Parris, Roberson, Rogers, A. E. Smith, Joel R. Smith, Stephenson, Turney, Watkins and Young.

Those who voted in the negative are,

Messrs. Brown, Dobbins, Gillespie, Inge, Kincaid, McLean, Nevins, Stockton, Vernon and Wright.

Ordered, That the Clerk acquaint the Senate therewith.

A bill to authorize J. C. Dew and company to build a toll bridge across the Falling-water in White county,

Was read a third time, and last time passed and ordered to be engrossed.

The house took up the bill to amend the penal laws of this State, passed in 1829-30.

Mr. Brown made a motion to amend the said bill by adding thereto an additional section in the words following, to wit:

"Be it enacted, that the fourth fundamental rule for the government of the Penitentiary be and the same is hereby repealed, and the following be inserted in lieu thereof, to wit:

"All letters sent to or from any of the convicts, shall be first opened and read by the keeper, and if nothing appears therein improper or unsafe to the institution, and the correspondence be on necessary business, or between the convict and his family or near relations, then said letters shall be by him delivered or forwarded as desired. And any relation or friend shall be allowed

in said keeper's presence to speak to any of said convicts in any case, when the condition of his property or family may require it. And all information concerning the convicts shall be furnished to their friends on personal application, or by letter post paid directed to the keeper.

And the question being taken thereon, it was determined in the affirmative.

Whereupon,

The said bill was read a second time and passed.

Ordered, That the clerk acquaint the Senate therewith.

Mr. Claiborne introduced a bill to establish a company to be called the Nashville Greys—and a bill to appropriate a sum of money to aid free persons of colour to remove to Liberia.

Mr. Cheatham introduced a bill appropriating funds and organizing a board to improve the Cumberland river—

And Mr. Dickinson introduced a bill to regulate appeals and writs of error from the county to the Superior courts.

Which bills were severally read a first time and passed.

Ordered, That the clerk acquaint the Senate therewith.

A bill to prevent trespasses upon school lands in Warren county—a bill to incorporate the town of Liberty—and a bill for the benefit of Azer Wylly,

Were severally read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill to incorporate a Female Academy at Athens, and a bill to provide for the permanent establishment of the seat of justice in Overton county,

Were severally read a third time and passed—and

A bill to extend the time allowed by law for the erection of certain turnpikes and bridges in the Western District.

Was read a third time, amended on motion of Mr. Claiborne and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The House took up the bill to prevent the violation of graves and the disturbance of the bodies of the dead.

Mr. Kincaid made a motion to amend the said bill by striking out so much thereof as makes the offence a "felony" and prescribes an unconditional imprisonment in the Penitentiary upon conviction, for the purpose of inserting in lieu thereof, the following words, to wit:

"Shall be confined in the jail of the county, for a term not less than six, nor more than twelve months, or in the Penitentiary for a term not less than one nor more than two years at the discretion of the jury."

And the question being taken thereon, it was determined in the negative.

YEAS 15
NAYS 26

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Speaker Huling, Allen, Claiborne, Dew, Dickinson, Dunlap, James Gray, Hatley, Holland, Inge, Kincaid, Maury, Stephenson and Wright.

Those who voted in the negative are,

Mr. Boddie, Brown, Carriger, Cheatham, Dobbins, Easley, Gillespie, Gordon, Gowen, Geo. Gray, Hardin, Hurst, McFarland, McGaughey, McLean, Nevins, Parris, Roberson, Rogers, A. E. Smith, J. R. Smith, Stockton, Turney, Vernon, Watkins and Young.

Mr. Dunlap made a motion to amend the said bill by adding thereto a proviso in the following words, to wit:

“Provided that the provisions of this act shall not apply to the body of any person who may have been executed in pursuance of the sentence of the law—nor to the body of any person who may before death have sold the same to a surgeon or other person for dissection.

And the question being taken thereon, it was determined in the negative.

Whereupon,

The said bill was read a third time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Hatley,

Ordered, That the committee of propositions and grievances be discharged from the further consideration of the memorial of the commissioners of the Memphis Hospital.

Whereupon,

The said memorial was referred to a select committee consisting of Messrs. Hatley, Claiborne, Cheatham, Dunlap and McLean.

Mr. Kincaid introduced a bill for the relief of Robert P. Harrison—and a bill for the benefit of Robert M. Walter.

Which bills were severally read a first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill to amend the laws on the subject of the Chancery courts, a bill to alter a line of Overton and Fentress counties, so as to include Willis Huddleston in Overton county—and a bill to amend the laws regulating the town of Jonesboro,

Were severally read a second time and passed.

Ordered, That the clerk acquaint the Senate therewith.

A bill to authorize the drawing of a lottery for the purposes therein mentioned,

Was read a second time.

And on the question “shall the bill pass,” it was determined in the negative.

YEAS 14

NAYS 26

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,
Messrs. Brown, Dew, Dobbins, Dunlap, George Gray, Hatley, Hurst, Inge, Kincaid, McLean, Nevins, Joel R. Smith, Turney and Young.

Those who voted in the negative are,
Messrs. Speaker Huling, Allen, Boddie, Carriger, Cheatham, Claiborne, Dickinson, Easley, Gillespie, Gordon, Gowen, James Gray, Hardin, Holland, Maury, McFarland, McGaughey, Parris, Roberson, Rogers, A. E. Smith, Stephenson, Stockton, Vernon, Watkins and Wright.

And so the said bill was rejected.

A bill, making provision for guardians

Was read a second time and rejected.

A bill to authorize the drawing of a lottery for the benefit of the Somerville male and female academies, was read a second time.

And on the question, 'shall the bill pass,' it was determined in the negative.

YEAS 10

NAYS 22

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,
Messrs. Brown, Claiborne, Dew, Dobbins, Dunlap, Geo. Gray, Hatley, Hurst, Inge, Kincaid, Maury, McLean, Nevins, Joel R. Smith, Stockton and Turney.

Those who voted in the negative are,
Messrs. Speaker Huling, Allen, Boddie Carriger, Cheatham, Dickinson, Easley, Gowen, James Gray, Hardin, Holland, McFarland, McGaughey, Parris, Roberson, Rogers, A. E. Smith, Stephenson, Vernon, Watkins, Wright and Young.

And so the said bill was rejected.

On motion of Mr. Dickinson,

Ordered, that the report of the select committee on rechartering the bank of the United States be referred to the committee of the whole house, and be made the order of the day for to-morrow.

Mr. McGaughey introduced the following preamble and resolution, to wit:

Whereas unavoidable delay of the public business has been occasioned by the prosecution of the impeachment against one of the Judges of this State.

Therefore,

Resolved, that this House after Saturday next the 3d inst. will meet at 7 o'clock P. M. on each day, for the purpose of holding

night sessions, and that the Clerk be and he is hereby directed to procure such assistance at his table as may be necessary for the dispatch of the public business and the more speedy termination of the present session.

Ordered, that said resolution lie on the table.

And then the House adjourned.

FRIDAY, DECEMBER 2d, 1831.

Mr. Stephenson presented a petition of sundry citizens of Washington county, praying a division of the first regiment into two regiments of militia.

Ordered, that said petition lie on the table.

Mr Stockton presented a petition of sundry citizens of Roane and Rhea counties, praying an alteration of the line dividing said counties on the south side of Tennessee river.

Ordered, That said petition be referred to the committee on county lines.

Mr. Hurst presented

A petition of sundry citizens of McMinn and Monroe counties praying that the laws of the State may be extended over the territory south of the Hiwassee river—within the limits of the State.

Ordered, that said petition be referred to the select committee appointed to enquire into the expediency of extending the laws over said territory.

Mr. Nevins presented a petition of Thomas L. Draper and Stephen Holliday, praying the passage of an act authorizing them to hawk and peddle without license—and,

Mr. Gowen presented a petition of sundry citizens of Rutherford county, praying the change of a precinct election.

Ordered, that said petitions be severally referred to the committee of propositions and grievances.

Mr. Claiborne presented a petition of William Harwood, praying compensation for a horse, which died in the public service.

Ordered, that said petition be referred to the committee of claims.

Mr. Dabbins presented a petition of sundry citizens of Davidson county, praying that billiard tables may be tolerated under certain restrictions.

Ordered, that said petition be referred to the committee of finance.

Mr James Grey presented a petition of sundry citizens of Humphreys county, praying the passage of an act providing that the stage road leading from Reynoldsburgh to Huntingdon, as lies

between the Tennessee and Sandy rivers, may be kept up at the expense of the State.

Ordered, that said petition be referred to the committee on internal improvement.

Mr. Holland presented a petition of sundry citizens of Weakly county, praying a preference of entry to James O. K. Wood.

Ordered, that said petition be referred to the committee on the western District lands.

Mr. Cheatham, from the committee on military affairs, reported a bill to change the time of holding battalion musters in the 22nd regiment.

Which bill was read the first time and passed.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Carriger, from the committee for enrolled bills, reported an act to authorise Jose C. Dew & co. to build a bridge across the Falling Water, in White county, truly enrolled.

The Speaker signed the said act.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Nevins, from the committee on Justices of the Peace, reported a resolution appointing Justices of the Peace for the counties of Sumner, Perry, Maury, Grainger and Anderson.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered that the clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Easley, from the committee on divorces, made a report upon the petition of Polly Billingsly and the resolution therein contained, was concurred in by the House as follows, to wit:

Resolved that the prayer of the petitioner ought not to be granted.

Mr. Joel R. Smith introduced

A bill to explain and amend the acts of 1824 and 1825, concerning insolvent debtors.

Mr. Gillespy introduced

A bill to compel certain persons to pay for the use and occupation of lands in certain cases.

Mr. Alexander E. Smith introduced

A bill to declare Knob creek in Sevier county navigable. And

Mr. Holland introduced

A bill to amend the registration laws, and for other purposes.

Which bills were severally read the first time and passed.

Ordered that the clerk acquaint the Senate therewith.

A message from the Senate by Mr. Hill their clerk,

Mr. Speaker;

The Senate nonconcur in your resolution providing for the adjournment of the General Assembly, without day, on the 15th inst.

The Senate have adopted a resolution to elect surveyors for Claiborne and Sumner counties in the Representative's Hall on the 10th inst. And a resolution for the adjournment of the two houses, without day, on the 22nd inst. and prohibiting the introduction of bills into either House after the 12th inst. in which resolutions they ask the concurrence of this House.

The Speaker of the Senate did this day sign a resolution appointing Justices of the Peace for Smith county. And an act to authorise James McKinly and Lewis Fletcher to open a turnpike road.

And then he withdrew—when

The Speaker signed the said act and resolution.

Ordered that the clerk deposite the same in the office of the Secretary of State.

A bill to authorise county courts to elect trustees for county academies,

Was read a second time and rejected.

A bill for the relief of the former jailer of Marion county,

Was read a second time and passed.

Ordered that the clerk acquaint the Senate therewith.

A bill to authorise a lottery for the building of a bridge across Roaring river in Jackson county,

Was read a second time.

And on the question, Shall the bill pass? it was determined in the negative.

YEAS 18

NAYS 21

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Allen, Brown, Claiborne, Dew, Dobbins, Dunlap, George Gray, Hatley, Hurst, Inge, Kincaid, Maury, McLean, Nevins, Parris, J. R. Smith, Stockton and Turney.

Those who voted in the negative are,

Messrs. Speaker Huling, Boddie, Carriger, Cheatham, Dickinson, Easley, Gillespie, Gordon, Gowen, James Gray, Hardin, Holland, McFarland, McGaughey, Roberson, Rogers, A. E. Smith, Stephenson, Vernon, Watkins and Young.

And so the said bill was rejected.

The Speaker laid before the House a message in writing from the Governor of the State.

The said message was read at the clerk's table, and is as follows:

Fellow citizens of the Senate,

and of the House of Representatives:

Herewith you will receive a copy of a correspondence between the Governor of Mississippi and myself; in relation

to the boundary line between the two States; also a copy of resolutions of the General Assembly of Mississippi on the same subject.

In October last, the Governor of Mississippi appointed a gentleman to ascertain and designate the point on the Mississippi river, where the 35 degree of north latitude crosses the same; who found it to be about four miles south of the line run by the commissioner of the United States, in the year eighteen hundred and nineteen. Since then the same service has been performed on behalf of this State, by Mr. John Thompson, late Professor of mathematics in the Nashville University; the result of whose observations nearly agree with that of the gentleman from Mississippi, as will more fully appear by reference to a copy of his report marked B. The true line of boundary having been ascertained by scientific gentlemen appointed by the two States, the propriety of requesting the State of Mississippi to appoint a surveyor, to act with one from Tennessee, immediately to run and plainly mark the boundary line, is respectfully submitted to your consideration.

WM. CARROLL.

Executive Office,
December 2d, 1831. }

Ordered, that said message, with its accompanying documents, be referred to the committee on the Mississippi line.

Mr. Hardin made a motion to reconsider the vote by which the bill to authorise the drawing of a lottery to build a bridge across Roaring river in Jackson county, was rejected.

And the question being taken thereon, it was determined in the affirmative,

And so the said bill was reconsidered.

Mr. Hardin introduced

A bill to render freeholders competent to sit on the trial of slaves.

Mr. Allen introduced

A bill for the relief of William Thompson and others. And Mr. McLean introduced

A bill to incorporate a company for opening a turnpike road, in a direction from Nashville to Harpeth river.

Which bills were severally read a first time and passed.

A bill for the relief of William Sanderlin and others,
Was read a second time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill to provide for the payment of Justices of the Peace for their services,

Was read a second time.

And on the question, Shall the bill pass? it was determined in the negative.

YEAS 16
NAYS 21

W HOUSE.

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Carriger, Dunlap, Gillespie, Gowen, James Gray, Hatley, Hardin, Holland, Inge, Kincaid, Maury, Nevins, Roberson, Joel R. Smith, Stephenson and Vernon.

Those who voted in the negative are,

Messrs. Speaker Huling, Allen, Boddie, Brown, Cheatham, Dew, Dickinson, Dobbins, Gordon, George Gray, Hurst, McFarland, McGaughey, McLean, Rogers, A. E. Smith, Stockton, Turney, Watkins, Wright and Young.

And so the said bill was rejected.

The House took up the Senate's resolution, fixing on the 22nd inst. for the adjournment of the General Assembly without day.

Ordered, that said resolution lie on the table until the 10th inst.

The House resolved itself into a committee of the whole on the bill to incorporate the subscribers to the bank of Tennessee. And after some time spent therein, the Speaker resumed the chair, and Mr. Watkins reported that the committee of the whole had, according to order, laid the said bill under consideration, and had come to a resolution thereon.

The said resolution was read at the clerk's table as follows, to wit:

Resolved, That it (is) *expedient* to incorporate the subscribers to the *Bank of Tennessee*.

And the question being taken on agreeing thereto, it was determined in the affirmative.

YEAS 24

NAYS 16

The yeas and nays being desired by the constitutional number of members.

Those who voted in the affirmative are,

Messrs. Speaker Huling, Boddie, Brown, Carriger, Cheatham, Claiborne, Dobbins, Dunlap, Gillespie, Gordon, Gowen Geo. Gray, Hatley, Holland, Inge, Kincaid, Maury, McLean, Nevins, Parris, Roberson, Joel R. Smith, Turney and Watkins.

Those who voted in the negative are,

Messrs. Allen, Dew, Dickinson, Easley, James Gray, Hardin, Hurst, McFarland, McGaughey, Rogers, Alex. E. Smith, Stephenson, Stockton Vernon, Wright and Young.

And so the report of the committee of the whole was concurred in.

And then the House adjourned.

SATURDAY, DECEMBER 3d, 1831.

Mr. McGaughey presented a petition of sundry citizens of Greene county, praying the appointment of Henry Stoner and Elijah W. Headrick, as Justices of the Peace for Greene county.

Ordered, that said petition be referred to the committee on Justices of the Peace.

Mr. Easley presented a petition of John Popejoy, praying the passage of an act authorising him to hawk and peddle without license. And

Mr. Hatley presented a petition of Ira Bayless, praying for certain privileges.

Ordered, that said petitions be referred to the committee of propositions and grievances.

Mr. Hatley also presented the resignation of Valantine D. Barry, as Attorney General of the 15th district.

Ordered, that said resignation be sent to the Senate.

Mr. McLéan, from the committee on the Western District lands, reported a bill for the benefit of James O. K. Wood.

Which bill was read the first time and passed.

Ordered, that the clerk acquaint the Senate therewith.

On motion of Mr. McGaughey,

Ordered, that the committee of propositions and grievances be discharged from the further consideration of the petition of Jeptha Gardner.

Mr. Easley, from the committee on divorces, made a report upon the petitions of James R. Sexton and Elisha McKain. And the resolution therein contained was concurred in by the House as follows, to wit:

After an unsuccessful motion of Mr. James Gray, to reverse the report as to Elisha McKain;

Resolved that the prayer of the petitioners ought not to be granted.

Mr. Dunlap, from the committee on internal improvement, made a report, accompanied with a bill to extend the Lynchburg and New River Rail Road to Knoxville.

The said report was read at the clerk's table, and is as follows, to wit:

The committee of Internal Improvement have had under consideration, a bill which was presented by the Abingdon Rail Road Convention, to the General Assembly of the State of Tennessee, proposing to extend the Lynchburg and New River rail road to Knoxville and west thereof, and beg leave to submit the following report:

The idea of forming smooth surfaces for carriage wheels to run on is of ancient origin. In Florence wheel tracks were paved with marble wrought smooth and level, while the horse

paths were of ordinary paving, it being the best for the horse to draw on.

At an early period great advantages were attained in England by placing a surface of hard wood for wheels of wagons to roll on; but the improvements of later days, which are destined to give a new aspect to the commercial and political world, have recently substituted cast iron rails and steam cars, for the marble tracks and heavy wagons of the Italians.

The moving power on the solid and smooth surface of the iron rail has little else to overcome than the friction of the axis. The resistance of the air, and the law of the increase of friction, is the same when applied to a body impelled on the smooth surface of the ice. The unequalled, and almost miraculous advantages of rail roads, were predicted long since by Dr. Young. "It is possible" says he "that roads paved with iron may hereafter be employed for the purpose of expeditious travelling, since there is scarcely any resistance to overcome except that of the air; and such roads would allow the velocity to be increased almost without limit."

The first rail ways in England, were used near Newcastle upon Tyne in the year 1680; they were made of wood laid on sleepers and levelled. One horse could draw 25,000 pounds at the rate of two and a half miles per hour. Some of them are now in use from the Collieries to the river Wear at Sunderland. The Hetton railway 7 5-8 miles long carries on it 17 wagons impelled by the locomotive engine; when loaded with coal, their usual weight is $6\frac{1}{4}$ tons; when empty, $18\frac{1}{2}$ tons. The variation of level from the pit to the Staith, is $8\frac{1}{2}$ feet—a part of which is overcome by inclined planes, the rest of the descent is one foot in every 335 feet. The rails were about four feet long and $2\frac{1}{2}$ inches thick on the upper surface on which the wheels rolled. Upon some parts of this road malleable iron rails were laid 15 feet long weighing about 140 pounds supported at every three feet.

The immense advantages of even the wooden railways in the Durham and Northumberland coal fields, soon caused them to be imitated in the neighborhood of Whitehaven in Cumberland where they were employed to a considerable extent till superseded by the use of the cast iron ones. From these places the use of railways has gradually spread to Yorkshire, Derbyshire, Wales and Scotland.

Upon the Surry road in 1805 twelve wagons laden with stone and weighing 38 1-5 tons or 76,400 pounds were drawn on a descent of one inch in ten feet by one horse, six miles in one hour and 41 minutes with apparent ease. But the most important railway in England, and by far the most difficult and costly, is the one which connects Liverpool and Manchester. The company to form this road was incorporated in 1825, and the capital

to be raised was \$2,261,000. In 1829 the capital was increased to \$2,827,000. The length of this road is 31 miles, and commencing at Liverpool it passes through a tunnel under the town more than one mile and a quarter long. This tunnel, at its least dimensions, is 22 feet wide and 16 high. The road rises 123 feet in one mile and 280 yards, and the roof of the tunnel is yet 70 feet under ground. At the end of this tunnel there is an area of fifty yards in length, and thirty yards wide, cut out of solid rock. There are two more inferior tunnels entering the town. The cost of the three was 44,768 pounds or nearly \$199,000. To get out of the area spoken of there must have been cuttings of 40 feet deep which seem to extend half a mile where the road is carried through a deep "cutting" and reaches Olive Mount, whence there is an excavation through the solid rock 70 feet deep, and 2 miles long. The limits of this report will not admit of a detail of all the difficulties of this road. It may be sufficient to add that more than three millions of cubic yards of earth were excavated, that it passed over many bogs, one of which was so soft that an iron rod laid upon its surface would sink to the bottom by the effect of its own gravity, a distance of from 10 to 35 feet, and four miles and three quarters long; and besides culverts and foot bridges, there were 63 bridges of which 30 were under the turnpikes and 28 over them—4 over brooks and one over the river Irwell.—Niles' Register, after giving a brief summary of the difficulties of this undertaking, says, "this is sufficient to show that it is one of the wonders of the world, and that rail roads can be made *any-where*."

In South Wales in 1791 there was scarcely a single railway. In 1811 the complete rail roads, connected with canals, collieries, &c. amounted to nearly one hundred and fifty miles in length, exclusive of under-ground ones, of which one company possessed about 30 miles.

Wales is a very mountainous country and the difficulties must far exceed those of our own country. The rapid increase of such roads must sufficiently prove their utility, and at the same time that the difficulty of their formation must be overrated in this country. The Blain Avon railway is 5½ miles long, and its ascent in that distance is 610 feet, or little more than 100 feet in a mile.

It may be here worthy of remark that the rail roads in England, Wales and Scotland, are made by individual companies, which proves not only their public utility, but also the profit on capital invested in that manner.

In Scotland it has been ascertained that the Carron Company's railways have reduced their monthly expenditure for carriage from 1200 to 300 pounds—or a monthly saving of \$3,996—which is a saving of about \$47,000 per year. From these accounts of

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railways necessarily limited as they are, we think no person can doubt of their incalculable advantage to every country; and of the facility of their construction. And we cannot help here again remarking that investments of capital in making railways are the most profitable which can be made.

Good roads were a matter of primary importance to the Romans. Their chief cities were connected by roads much superior and more costly than any of modern times. The rail road surpasses them in speed, by the invention of steam power and is less costly. The roads which passed as arteries through the body of the Roman empire have retained all their ancient marks to this day. The sapping power of fifteen centuries could not destroy these granite roads, so firm and solid was their construction.

These roads running nearly in direct lines from city to city presented easy and rapid intercourse with the interior and with distant provinces. Difficulties were overcome by art and by energy; mountains were cut down and valleys raised by terraces which commanded the adjacent country.—These roads were formed of several layers of stone and gravel bedded in cement, and then paved with smooth stone. There were 29 military roads leading from Rome, some of which extended to the extreme part of the empire, in all containing 52,694 miles. The construction of these roads was for State and war purposes; ours should be for commerce.

Roman rage for military prowess and for foreign conquests directed the whole energies and resources of the empire to the construction of war facilities. This state of things fed an ambition peculiar to the Roman character; an ambition which dictated a spirit of commercial piracy for the acquisition of wealth until the means of luxury so accumulated in the hands of the patrician order, that all their energy was lost and all their native valor gone. But no such fatal results are promised to the American States by the construction and improvement of great highways to market.

The States learning wisdom from the splendid ruin of the proudest empire that history tells of, have set the lamp of knowledge in front whose unerring light shall guide them in their onward march to the internal improvement of the country.

The establishment of systems of popular education in most of the States, will have the most salutary effect upon all the relations of life. The spread of knowledge incident thereto will temper all the passions and unite all to the true and ultimate interests of society. It will teach communities and individuals what should be the proper division of time between the acquisition of a competent means of support, and the means to ensure the action of those commanding duties which are the main pillars to the social and political compact.

To produce such a state of things has been the great desideratum which has so long puzzled the greatest statesmen. The solution of this difficulty like the solution of all other difficulties which have in the other hemispheres so long robbed man of his rights and cast a gloom over his happiness, have been reserved for the final glory of the American people.

A comparison of the relative merits of turnpike roads and canals and railroads, which will be involved in a small degree in this report, cannot help striking the most superficial observer of the pre-eminent advantages of the latter—advantages which are becoming every day more and more apparent, and which now begin to exhibit the future internal commercial prosperity which this country is destined to attain.

It has been ascertained that the power of one horse on the rail road is equal to that of eight on the turnpike. "In the effect produced by a given power the rail road is about a mean between the turnpike road and the canal, when the rate is about three miles an hour, but when greater speed is required, the rail road is equal to the canal in effect and even surpasses it.

This saving of labor, added to the superior speed and certainty of railway conveyance, at once establishes its paramount claims in all cases where the travelling and transportation will justify the cost of the construction. Speed is of the first moment in commerce: it shortens distance and almost brings the two ends together. This rapid facility will invite communion with distant parts, and make those who are now strangers, live together as neighbours. It will stir up a general desire to cultivate with remote quarters the relative duties of life, and teach all, that a few miles of distance from cities and depots of trade will have but little influence in the price of the article. This will have a happy influence on that rage that is now abroad in the land, to build up new towns, to live in cities, or to seek profit or pleasure in clustered habitations. It will give the agriculturist the advantage of a more ready and extensive market.

As well as speed, certainty of supply will have the most salutary influence on the fluctuation of prices so often attended with ruin from the alternate fulness and scarcity, which invariably occur when left to the fate of contrary winds, ice, droughts or floods incident to our country. The certainty of conveyance to market will lessen the price to the consumer, and keep capital in action which would be otherwise dormant, by avoiding the necessity of depositing large stores in expensive warehouses. The warehouse fees have ever been one of the heaviest charges to the seller and consumer, and the means of placing the profits of the grower and manufacturer in the hands of a few capitalists—an event

which, on every view of the subject, ought to be anxiously avoided.

Under a speedy and certain system of transportation when an emergency arises, the whole stock and trade, and consequently the wealth and resources of the country can be called into use.

That there is an urgent necessity for our people to find some more certain, speedy conveyance, and a more extensive market for their produce, cannot be doubted by any one; and that the accomplishment of this most desirable object is within the means of the State cannot be disputed by any one who will examine for himself.

We should consider ourselves in a state of commercial rivalry with our sister States, and to some extent with the world; and whatever will enable us to supply a home or foreign markets with articles at a less cost than our rivals, will add to the wealth of the State.

An interior railway to market will produce an equal distribution of agricultural exports, and present those sections of the country to which Nature has been bountiful in the fertility of soil, as well as mineral wealth with equal advantages with the less fertile, but more contiguous country. It creates new articles for trade, and renders accessible those articles, the transportation of which, on ordinary roads, would not bear the cost. It will not only multiply articles of trade and exchange by the development of hidden resources which would be almost useless without unimpeded facilities to market, but it will give employment to the common laborer, stir up a general spirit of industry until the energy of the country shall have overcome difficulties, which to the slothful and unenterprising would seem impossible. It is the true policy of every government that each one of its citizens should have as equal advantages in trade as possible.

The construction of Rail and Turnpike roads is the only means of reaching this desirable object. Such facilities will convert the labor of the country into the raw and the manufactured article, the excess of which is the true source of individual and national wealth.

We will now pass over to the few railways which have been made in our own country, or rather those which have been begun. Among these, the Baltimore and Ohio rail road deserves the first consideration. This road, as far as summit ridge, a distance of forty-two miles, is estimated to cost for graduation & masonry \$846,279. This part of the road was laid off in three divisions. The first, which was next to the city of Baltimore, and included a part of it, cost \$46,496 per mile. The second was estimated at \$10,022 per mile; and the third, at only \$7,000 per mile. This makes it evident that there must have been an unne-

ecessary expenditure of money in the first division; for the difficulties were nearly the same. A double track of rail roads will cost \$12,000 per mile; and it is thought that this part of the road will afford a fair sample of the cost of the remainder. On the first division of this road, a distance of 13 miles, there passed from the first of January to the 1st of October 1831, 81,905 passengers and 5931 tons have been transported on it, yielding \$31,405,24 and incurring an expenditure of - - - 10,991,87

thus realizing a profit of - - - - - \$20,410,37 within less than a year, over thirteen miles of the road.

The Charleston and Hamburg rail road has been completed to the ten mile branch, and parties of pleasure travel upon it, in a Steam Car, at the rate of 33 miles an hour. The object of this road is to divert the trade of Augusta and Upper Georgia, from Savannah, to Charleston. The effect of the certain completion of this road, has excited the upper and interior part of Georgia, so as to put in agitation many rival rail roads. The country must be benefitted by such public spirit. It is in contemplation to unite, by a rail road, the waters of the Tennessee and Savannah.

We find that rail road stock is so profitable in England, that it is taken with avidity, and that canals are drying up and giving place to those roads. So paramount are the claims of the rail roads, that it is seriously talked of in New York, to construct a rail road, along the line of the Erie canal, the construction of which proved the value of *moral courage* to New York. It placed the name of a Clinton high among the noblest benefactors of his country.

It only becomes necessary to make a calculation of the difference in the prices of freight on rail and turnpike roads, to manifest the superior claims of railways. The saving of time, now lost in tedious journeys to market, is a matter of high moment to our citizens. The loss of time is the loss of so much wealth to the citizens, and, consequently, to the State. At three cents per ton, per mile, transportation from Knoxville to Richmond, 400 miles, will be twelve dollars per ton, on the proposed rail road. It would be eighty dollars per ton on a turnpike. This is one dollar per hundred, for every hundred miles, the lowest price for hauling on turnpikes. This change in the mode of conveyance will be a saving of \$68, per ton, in the transportation between those points, which will be that much saved to the farmer or manufacturer. The difference in the speed is of immense importance. The locomotive will pass at the rate of at least twenty miles per hour. Their velocity has been a mile in half a minute, on the Manchester, Baltimore and Charleston rail roads. But in turnpikes, the wagoners usually travel two miles an hour; so here is eighteen miles an hour saved by the railway. The locomotive

will pass between these points in twenty hours; the wagon, in two hundred of constant travelling. When reduced to days, it will be about twenty days from Knoxville to Richmond, for a wagon on a turnpike, allowing twenty miles per day. On the rail road, it would not exceed two days, allowing them to travel only in daylight. This is sufficient to remove the doubts and fears of the timid and the sceptic.

Many heavy articles, which this railway will raise from the rich bowels of the high lands of East Tennessee, will find a market. The low rate of transportation is the only means which can develop the mineral wealth, the inexhaustible mines, which cannot now be worked for the want of improved highways to trade. The level and fertile valleys of East Tennessee will, by the aid of this railway, be placed on the grounds of fair competition with those sections of the country bordering on the Atlantic.

From the example of other countries and our sister States, none can doubt the practicability of the proposed railway from Knoxville to Lynchburg. However, if other evidence should be wanted, the committee submit a letter from the principal Engineer of the State of Virginia, marked (A.) Capt. Crozzett, is admitted by all who know him, to be one of the most scientific Engineers in the United States. He has long been in the engineering service of Virginia, and his plans and projects for the improvement of Virginia no longer exist in theory. That State, ever jealous of her rights, has commenced, under his guidance, to do her own work. In doing this, she invites the enterprise and industry of her citizens to come forward as the umpire between the agitating doctrine of State and Federal rights; conscious that the action of the State is the only mode that can arrest the dangerous march of federal power. While the nation is convulsed from the centre to the extremities by the encroachment of federal power, and when it is manifest that such is and has been the tendency of all governments, may not an appeal be made with the hope of success to the patriots of conflicting opinions, to meet around the common altar, and unite on internal improvement by the States, as the only check to that personal ambition, that seeks a broader theatre than the limits of a State: an ambition that scorns constitutional barriers which drive back a mad career for high taxes. An ambition which, if persisted in, leads on personal hopes under the mask of *the general welfare*, until this idol shall force into the same vortex—national splendor and national ruin.

The committee here submit a letter from Mr. Hill, the President of the board of Directors of the Nashville and Franklin turnpike road, marked (B.) This road is to be *M'Adamized* and graduated, so that steam cars could pass on it, if rails were laid down. The graduation of the road is the chief cost. Mr. Hill

believes, that for six thousand dollars per mile, a rail road could be made on this route. He is a practical man, of much enterprise and forecast, and of great observation of men and things; and his opinion is entitled to great weight on this subject. He has travelled and witnessed works of a similar character, and is well qualified to judge of the price of labor and the facility of means for the construction of rail roads in this State. If the Franklin and Nashville route would justify the construction of a rail road at this sum, the abundance of materials in East Tennessee and Virginia, together with the smooth and level vallies thro' which it would pass, would promise a road at a much less price than heretofore conjectured. The Alleghany, the Blue ridge and Mount Airy, which divide the waters of the Holston from the New river, are the principal obstructions in this route.— These difficulties are within the power of that enterprise which is now awakening the people to the true and ultimate interests of the country.

The committee submit an extract of a letter from Mr. W. Nichols, jun. the assistant Engineer for the State of Alabama.

Tuscaloosa, November 16th, 1831.

“DEAR GENERAL—When I had the pleasure of seeing you in Nashville, I promised to send you, as soon as prepared, a copy of our report on a survey for a communication between the Tennessee and Alabama waters; but I fear you will have left for your place of residence, before it can be made ready. Our Legislature will assemble on the 21st inst. and as soon thereafter as the report can be printed, if you are yet in Nashville, I will send you one; otherwise shall forward it to Knoxville. In the meantime I herewith send you an address of the citizens of Mobile, relating to the same subject, setting forth in forcible and incontrovertible language, the vital importance of such a work to this State, and that part of the State of Tennessee which you represent.” . . . “I send you also an address on another subject, in which you are likewise interested—the muscle-shoals rail-road, which it is purposed ultimately to extend to Memphis.

The necessary amount of stock has already been subscribed for this project, and they require but a charter to commence operation. Two years from the present time will witness its consummation; and, when done, your part of Tennessee must become the great thoroughfare for the commercial intercourse of the southwestern and eastern States.”

The views of Mr. Nichols on this subject, at once test the value of his opinion. He shews that the State of Alabama has caused to be surveyed two routes, for the purpose of uniting by a canal or rail road the waters of the Tennessee with the Alabama river. This opens a new market for the produce of East Tennessee; and is of the first importance to both States. It forms an important

link in the grand chain of communication from the south west to the Atlantic. This shews that the Memphis rail road to the head of the muscle shoals is almost in the act of beginning, and will, judging from the public spirit manifested by the citizens of Memphis and North Alabama, meet with success. A charter to that part of this road which passess through Tennessee, will be granted at this session, which will be submitted to Mississippi and Alabama this winter for their co-operation. In this we find a new feeder, to the great thoroughfare from the Mississippi & a part of the east of the Gulf of Mexico, through East Tennessee and Virginia, to the Chesapeake. With all these evidences, open to the most ordinary observer, can more proof be required to convince capitalists of the value of the stock of the Knoxville and Lynchburg rail road.

The citizens of Mobile have had a general meeting on the propriety of uniting the Tennessee and Alabama rivers, and invite all the counties to look to the same measure. Alabama and Tennessee can do their own work by imitating the noble example of New York, Pennsylvania, Virginia and Ohio. By incorporating companies and requiring the States to take shares, the work must advance. Should the States not have the money, let them do as Pennsylvania, New York and Ohio have done, by procuring loans. This would be a promise of protection to capitalists who may choose to make such investments, and it will be a source of revenue to the States. Money can be borrowed at four or five per cent. per annum, and the tolls and freights will, in any of these routes, yield more than ten per cent. The Abingdon rail road convention, formed of Merchants, Farmers and almost every profession, from the means within their power, estimated that the transportation in the Knoxville and Lynchburg rail road, would yield ten per cent,—allowing the road to cost \$14,000 per mile, which was too high an estimate. All the members from the different counties of East Tennessee and Virginia, gave the amount of exports and imports from and to their counties, which, added together, shewed the amount of transportation on this leading route.

It has been ascertained by the Nashville and Franklin turnpike company, that the road can be graduated ready to receive the basis of the rails at \$3000 per mile. The cost of the rails imported to Charleston for the Charleston and Hamburg Rail Road is \$42 50 per ton. From the demonstration made by the enterprising citizens of Tusculumbia, the rails will only cost them about \$1200 per mile, for a single track. The committee are informed of these facts, by Mr. C. T. Barton, one of the Tusculumbia rail road company. From these facts, it is evident the road in E. Tennessee and Virginia, except in a few places, can be made at least at six or seven thousand dollars per mile. This reduction

in the cost will more than double the value of the stock estimated to be worth ten per cent, supposing the cost to be \$14,000 per mile.

The proposed railway, when constructed, will make East Tennessee one of the most desirable and valuable portions of the interior of the Union. It will unfold the boundless, but hidden treasures of the earth, to the enterprise of our citizens, stimulated with the certainty of a cheap and speedy road to market. It will invite capitalists from abroad to settle in our healthful highlands and beautiful valleys. It will cause extensive manufactures to be erected on our streams, the power and value of which are not equalled by any portion of the United States. It will make the whole country smile with the profitable industry of the people. It will brighten the sun of our prosperity, and gladden the hearts of a people who have been denied the equal benefits of commerce. Every good resulting from skillful industry, will more than be realized by fastening this bond of union,—this link of kindred interest with kindred feelings of our fellow citizens of the neighboring States. To a people like the American citizens, identified in the same general interest, yielding homage to the same principles, facilities of intercourse and communion are of the highest and last importance.

Mr. Easley made a motion that one thousand copies of the said report be printed.

And the question being taken thereon, it was determined in the affirmative.

YEAS 27

NAYS 11

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Speaker Huling, Allen, Boddie, Brown, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Dunlap, Easley, Gillespie, Gordon, Gowen, James Gray, Geo. Gray, Hatley, Holland, Inge, Maury, McFarland, McLean, Roberson, Rogers, J. R. Smith, Stephenson and Young.

Those who voted in the negative are,

Mr. Carriger, Hardin, Hurst, McGaughey, Nevins, Parris, Stockton, Turney, Vernon, Watkins and Wright.

Whereupon,

The bill accompanying said report was read the first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Gordon, from the committee on land claims, reported

A resolution referring grants 358, 675 & 640, to the Secretary of State for adjudication.

And the question being taken on agreeing thereto, it was de-

X House.

terminated in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Nevins, from the committee on Justices of the Peace, reported,

A resolution appointing Justices of the Peace for the counties of Wayne and Humphreys.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Wright, from the committee on the Hiwassee lands, reported,

A bill supplementary to an act passed at the present session, to dispose of the forfeited lands in the Hiwassee district.

Which bill was read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Stephenson introduced

A bill to divide the 1st regiment into two regiments.

Mr. Brown introduced

A bill to amend the laws of this State in relation to the government of slaves and free persons of color.

Mr. Claiborne introduced

A bill to establish a circuit of law and equity for the county of Davidson; and

Mr. Dobbins introduced

A bill for the benefit of John Brown.

Which bills were severally read a first time and passed.

Ordered, That the clerk acquaint the Senate therewith.

Ordered, That the bill to change the time of holding drill musters, be recommitted to the committee on military affairs.

A message from the senate by Mr. Hill their Clerk.

Mr. Speaker—

The Senate concur in your resolution appointing Justices of the Peace for the counties of Sumner, Perry, Maury and Anderson.

The Senate have adopted

A resolution directory to the President and Directors of the Bank of the State of Tennessee. And

A resolution appointing Justices of the Peace for Obion and Carroll counties.

In which resolutions they ask the concurrence of this House.

The Speaker of the Senate did this day sign enrolled bills of the following titles, to wit:

An act to amend the act incorporating the town of Brownsville. An act to incorporate the Tennessee manufacturing company. An act appointing a commissioner to receive Justices'

papers in Knox county. An act to incorporate the Franklin and Columbia rail road company, An act to establish the Montgomery Rangers. An act for the benefit of Nathaniel B. Butler. An act for the relief of Geo. W. Churchwell. An act to authorise a lottery for the continuation of Union street, in Nashville. And an act to exempt the militia of the 58th regiment from attending Battalion musters.

And then he withdrew. When
The Speaker signed the said acts.

Ordered, That the clerk deposite the same in the office of the Secretary of State—Whereupon,

The House took up the Senate's resolution contained in the said message, and concurred therein.

Ordered, That the clerk acquaint the Senate therewith.

A bill for the relief of Sally Hopson,

Was amended on motion of Mr. Brown, and further amended on motion of Mr. Easley, and read a second time and passed.

Ordered, that the clerk acquaint the Senate therewith.

Bills from the Senate of the following titles were severally read a first time and passed, to wit:

A bill for the relief of Mary Guest. A bill to remove the sittings of the Supreme court from Reynoldsburg to Clarksville. A bill to authorise Elizabeth Kenner to sell certain property. A bill declaratory of the law concerning contempts of court. A bill for the benefit of the regiment of cavalry attached to the 12th Brigade. A bill to do justice to the several counties in which school taxes are collected. A bill to remove the supreme court from Reynoldsburg to Centreville, A bill for the benefit of Hardin county. And a bill to provide for holding chancery courts at the towns of Monroe and Pulaski.

Ordered, That the clerk acquaint the Senate therewith.

A bill to increase the common school fund,

Was amended on motion of Mr. Dunlap, and further amended on motion of Mr. Claiborne, and read a second time.

And on the question, Shall the bill pass? it was determined in the negative.

YEAS 18.
NAYS 19

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Dunlap, Easley, Gowen, George Gray, Hardin, Hurst, Kincaid, McFarland, McGaughey, McLean, Nevins, Roberson, Rogers, Alexander E. Smith, Stephenson, Stockton and Vernon.

Those who voted in the negative are,

Mr. Allen, Boddie, Brown, Cheatham, Claiborne, Dew, Dick-

inson, Gillespy, Gordon, James Gray, Hatley, Holland, Inge, Maury, Parris. Joel R Smith, Turney, Watkins and Young.

And so the said bill was rejected.

A bill to regulate the receiving of toll at Jetton's and Elliott's bridge, in Carroll county,

Was read a second time and rejected.

And then the House adjourned.

MONDAY, DECEMBER 5th, 1831.

Mr. Stephenson presented a petition of sundry citizens of Washington county, praying an alteration in the time of holding the county court of said county.

Ordered, That said petition lie on the table.

Mr. Young presented the resignation of George Berry as a Justice of the Peace for Hawkins county.

Ordered, That said resignation be referred to the committee on captains' companies and Justices of the Peace.

Mr. McGaughey presented a land claim of James Smith, of Greene county.

Ordered, That said claim be referred to the committee on land claims.

Mr. George Gray presented a petition of sundry citizens of Franklin county, praying the passage of an act authorising a certain sum of money to be raised by lottery, for the purpose of erecting a Female Academy in said county.

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. McLean presented a petition of sundry citizens of Henderson county, praying that a Bank may be chartered in this State.

Ordered, That said petition lie on the table.

Mr. Cheatham, from the committee on military affairs, reported,

A bill to change the time of holding regimental drill musters, with an amendment in lieu of the whole bill, which was adopted.

Whereupon the said bill was read a third time and passed.

Ordered, That the clerk acquaint the Senate therewith.

Mr. Brown, from the committee on the Judiciary, reported,

A bill to reduce the fees of the clerks for recording an account current rendered by a guardian.

Mr. Durlap, from the committee on internal improvements, reported,

A bill to incorporate the Memphis rail road company.

Which bills were severally read the first time and passed.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Carriger, from the committee for enrolled bills, reported,
A resolution appointing Justices of the Peace for the counties
of Sumner, Perry, Maury and Anderson, truly enrolled.

The Speaker signed the said resolution.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Stephenson introduced

A bill to regulate the fees of clerks; and

A bill to change the time of holding the county courts of Wash-
ington county.

Mr. Hardin introduced

A bill concerning the seat of Justice in Wayne county,

Mr. Dew introduced

A bill to repeal an act entitled an act to create a new militia
company in the county of Wilson.

Mr. Stockton introduced

A bill to extend the benefits of the first section of the act of
1829, chap. 40.

Mr. McLean introduced

A bill to regulate ware houses.

Mr. Parris introduced

A bill to authorise John Martin and John B. Perkins to build
a bridge across Caney Fork,

Mr. Nevins introduced

A bill to provide the means by which the existence and locality
of Matthews' line is to be established.

Mr. McLean introduced

A bill to change the time of holding the supreme court at
Jackson.

Mr. Dobbins introduced

A bill for the benefit of the estate of Robert V. McGimsey.

Mr. Joel R. Smith introduced

A bill regulating the grade of staff officers. And

Mr. Claiborne introduced

A bill to transfer a cause now pending in the supreme court
at Jackson, to the supreme court at Nashville.

Which bills were severally read a first time and passed.

Ordered, That the clerk acquaint the Senate therewith.

The House took up a bill to enable the occupants of the West-
ern District to secure their occupancies, and for other purposes.

Mr. Hatley made a motion to postpone the said bill indefinite-
ly.

And the question being taken on agreeing thereto, it was de-
termined in the negative.

YEAS 20

NAYS 20

The yeas and nays being desired by the constitutional number
of members,

X2 House.

Those who voted in the affirmative are,
Messrs. Carriger, Dickinson, Gowen, James Gray, Hatley, Hardin, Holland, Hurst, Inge, McFarland, McLean, Parris, Roberson, A. E. Smith, Joel R. Smith, Stephenson, Stockton, Vernon, Wright and Young.

Those who voted in the negative are,
Messrs. Speaker Huling, Allen, Boddie, Brown, Cheatham, Claiborne, Dew, Dobbins, Dunlap, Easley, Gillespie, Gordon, George Gray, Kincaid, Maury, McGaughey, Nevins, Rogers, Turney and Watkins.

Mr. Brown offered the following amendment to said bill, to wit:

"Be it enacted, that said Secretary as land commissioner shall adjudicate all the claims mentioned in this act, and report minutely the number and character of the claims adjudicated, to the next session of this General Assembly, in order that said General Assembly may be the better enabled to determine the justice and propriety of their satisfaction.

And the question being taken on agreeing thereto, it was determined in the negative.

YEAS 7

NAYS 31

The yeas and nays being desired by the constitutional number of members.

Those who voted in the affirmative are,

Mr. Brown, Claiborne, Dickinson, Dunlap, Geo. Gray, Maury, and Rogers.

Those who voted in the negative are,

Mr. Speaker Huling, Allen, Boddie, Carriger, Cheatham, Dew, Easley, Gillespie, Gordon, Gowen, James Gray, Hatley, Hardin, Holland, Hurst, Inge, Kincaid, McFarland, McGaughey, McLean, Parris, Roberson, A. E. Smith, Joel R. Smith, Stephenson, Stockton, Turney, Vernon, Watkins, Wright, and Young.

Mr. Gordon made a motion to amend the said bill by striking out the second, third and sixth sections thereof.

And the question being taken thereon,

It was determined in the affirmative.

Mr. Holland offered the following amendment to said bill, to wit:

Be it enacted, that whenever the General Government shall have relinquished her title to said land south and west of the congressional reservation line, each and every person entitled to a right of occupancy by this act, and all acts heretofore passed for the benefit of occupants south and west of the congressional reservation line, shall have permission to enter such land as they are entitled to by virtue of said acts at twelve and one half cents

per acre and no more.

And the question being taken on agreeing thereto, it was determined in the affirmative.

YEAS 20

NAYS 18

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Allen, Brown, Carriger, Dickinson, Dunlap Gordon, Gowen, James Gray, Hatley, Hardin, Holland, Hurst, Inge, McFarland, McLean, Roberson, Alex. E. Smith, Joel R. Smith, Stockton, and Vernon.

Those who voted in the negative are,

Mr. Speaker Huling, Boddie, Cheatham, Claiborne, Dew, Easley, Gillespie, George Gray, Kincaid, Maury, McGaughey, Parris, Rogers, Stephenson, Turney, Watkins, Wright, and Young.

Mr. Gordon made a motion to reconsider the vote by which the said amendment was adopted.

And the question being taken thereon, it was determined in the affirmative.

YEAS 24

NAYS 16

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Speaker Huling, Allen, Boddie, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Dunlap, Easley, Gillespie, Gordon, Gowen, George Gray, Kincaid, Maury, McFarland, McGaughey, Nevin, Rogers, Stephenson, Turney, Watkins and Young.

Those who voted in the negative are,

Mr. Brown, Carriger, James Gray, Hatley, Hardin, Holland, Hurst, Inge, McLean, Parris, Roberson, Alex. E. Smith, J. R. Smith, Stockton, Vernon, and Wright.

The question recurring on the adoption of the amendment offered by Mr. Holland,

It was determined in the negative.

YEAS 16

NAYS 24

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Brown, Carriger, Dunlap, James Gray, Hatley, Hardin, Holland, Hurst, Inge, McLean, Roberson, A. E. Smith, Joel R. Smith, Stockton, Vernon, and Wright.

Those who voted in the negative are,

Messrs. Speaker Huling, Allen, Boddie, Cheatham, Claiborne,

Dew, Dickinson, Dobbins, Easley, Gillespie, Gordon, Gowen, Geo. Gray, Kincaid, Maury, McFarland, McGaughey, Nevins, Parris, Rogers, Stephenson, Turney, Watkins, and Young.

Whereupon,

The said bill was read a third time,

And on the question Shall the bill pass, it was determined in the affirmative.

YEAS 21

NAYS 19

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Speaker Huling, Allen, Boddie, Brown, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Dunlap, Easley, Gillespie, Gordon, Gowen, George Gray, Kincaid, Maury, Nevins, Rogers, Turney and Watkins.

Those who voted in the negative are,

Messrs. Carriger, James Gray, Hatley, Hardin, Holland, Hurst, Inge, McFarland, McGaughey, McLean, Parris, Roberson, A. E. Smith, Joel R. Smith, Stephenson, Stockton, Vernon, Wright and Young.

Ordered that the clerk acquaint the Senate therewith.

On motion of Mr. McGaughey,

The house took up the resolution introduced by him on Thursday last providing for the holding of night sessions.

Mr. Kincaid made a motion to lay the said resolution on the table until tomorrow.

And the question being taken thereon, it was determined in the negative.

YEAS 8

NAYS 32

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Allen, Dobbins, Gillespie, Gordon, Gowen, Geo. Gray, Hardin, Kincaid and J. R. Smith.

Those who voted in the negative are,

Messrs. Speaker Huling, Boddie, Brown, Carriger, Cheatham, Claiborne, Dew, Dickinson, Dunlap, Easley, James Gray, Hatley, Holland, Hurst, Inge, Maury, McFarland, McGaughey, McLean, Nevins, Parris, Roberson, Rogers, A. E. Smith, Stephenson, Stockton, Turney, Vernon, Watkins, Wright, and Young.

Whereupon,

The question was taken on agreeing to said resolution.

And determined in the affirmative.

Mr. Alexander E. Smith introduced the following resolution, to wit:

Resolved, that the Senate meet the House of Representatives in the representative hall on Monday next at 11 o'clock A. M. for the purpose of electing a chancellor of the western division of this State—a Solicitor general for the 15th solicitorial district—a surveyor for the county of Cocke—commissioners for the board of internal improvement for east Tennessee—entry takers for the counties of Bedford, Humphreys, Lincoln and Claiborne—surveyors for the counties of Humphreys, Sumner and Marion—and a treasurer for middle Tennessee.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, that the clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Claiborne introduced

A resolution appointing trustees of the Nashville University.

On motion of Mr. Wright,

Ordered. That said resolution lie on the table.

Mr. Joel R. Smith made a motion to reconsider the vote by which the "bill to regulate the receiving of toll at Jetton's & Elliott's bridge in Carroll county" was rejected

And the question being taken thereon, it was determined in the affirmative.

And so, the said bill was reconsidered.

A message from the Senate by Mr. Hill their clerk,

Mr. Speaker—

The Senate have adopted a resolution that the committees of the two houses on captains' companies and justices of the peace be made a joint committee for certain purposes—in which they ask your concurrence. The Speaker of the Senate did this day sign resolutions appointing justices of the peace for the counties of Maury, Carroll and Obion, and enrolled bills of the following titles, to wit:

An act for the benefit of Jesse Savage.

An act to appropriate certain money to the improvement of the navigation of Big Sandy river.

An act to establish a new militia company in the county of Wilson, and for other purposes.

An act to compensate jurors in the county of Sullivan,

An act for the benefit of the people living on Cumberland mountain in Warren county,

An act to establish a town in the county of Greene,

And an act to enable the citizens of Dickson county to build a court house in said county, and for other purposes.

And then he withdrew.

When the Speaker signed the said acts and resolutions.

Ordered, that the Clerk deposite the same in the office of the Secretary of State.

The House took up the bill to regulate and designate the line between Rhea and McMinn counties.

Mr. Vernon offered an amendment in lieu of the whole of said bill.

Ordered, That said bill and amendment lie on the table.

A bill to extend the limits of the corporation of the town of Knoxville—

A bill to authorize the administrator of Samuel Hanna to convey a certain tract of land to the person therein named—

A bill to repeal part of an act entitled an act to make two regiments by a division of the 5th regiment, passed October 13th, 1829.

A bill for the relief of the securities of Joseph Stone—

A bill for the benefit of Isaac Low and D. C. Chamberlain,

A bill for the benefit of Montgomery Bell,

A bill for the benefit of Custis O'Neal,

A bill to appoint trustees of Mount Cumberland academy in Fentress county,

A bill to amend an act entitled an act to amend and reduce into one the several acts concerning the county revenue,

A bill to dispose of the public square and lots and other public property in old Montgomery, former county seat in Morgan county,

A bill for the benefit of securities in cases of peace warrants,

A bill to repeal the act of 1827, chap. 27,

And a bill to release from taxation the real estate belonging to the bank of the State of Tennessee.

Were severally read a second time and passed.

Ordered, that the clerk acquaint the Senate therewith.

A bill for the relief of James Drennen of Wilson county,

Was read a second time and rejected.

A bill to amend an act entitled an act to incorporate the medical society of Tennessee.

Was read a second time,

And on the question, Shall the bill pass? it was determined in the negative.

YEAS 10

NAYS 27

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Speaker Huling, Cheatham, Claiborne, Dunlap, Gillespie, Gordon, Holland Inge, Maury, McLean and Joel R. Smith.

Those who voted in the negative are,

Messrs. Allen, Brown, Carriger, Dickinson, Easley, Gowen, James Gray, Geo. Gray, Hatley, Hardin, Hurst, Kincaid, Mc-

Farland, McGaughey, Nevins, Parris, Roberson, Rogers, Alex. E. Smith, Stephenson, Stockton, Turney, Vernon, Watkins, Wright and Young.

And so the said bill was rejected.

A bill for the benefit of the citizens of Morgan and other counties,

Was amended on motion of Mr. Carriger and Mr. Turney,

And read a second time.

And on the question, Shall the bill pass? it was determined in the affirmative.

YEAS 19

NAYS 18

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Carriger, Cheatham, Claiborne, Dunlap, Gillespie, Geo. Gray, Hatley, Hardin, Holland, Hurst, McLean, Nevins, Parris, Alex. E. Smith, Stephenson, Stockton, Turney, Vernon and Wright.

Those who voted in the negative are,

Messrs. Speaker Huling, Allen, Brown, Dew, Dickinson, Easley, Gordon, Gowen, James Gray, Inge, Maury, McFarland, McGaughey, Roberson, Rogers, Joel R. Smith, Watkins and Young.

Ordered that the clerk acquaint the Senate therewith.

And then the House adjourned.

TUESDAY, DECEMBER 6th, 1831.

Mr. Stephenson presented a petition of sundry citizens of Washington county, praying the appointment of a Justice of the Peace for said county.

Ordered, That said petition be referred to the committee on captains' companies and Justices of the Peace.

Mr. McFarland presented a petition of sundry citizens of Jefferson county, praying a repeal of the law giving two days to take an appeal and give security for stay of execution.

Ordered, That said petition be referred to the committee on the Judiciary.

Also, a petition of sundry citizens of Jefferson county, praying the passage of a law directing officers to apprehend persons of color attending public places.

Ordered, That said petition lie on the table.

Mr. Watkins, from the committee on claims, made a report upon the petition of Benjamin Harwood, and the resolution there-

In contained was concurred in by the House as follows, to wit:

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Nevins, from the committee on captains' companies and Justices of the Peace, reported.

A resolution appointing Justices of the Peace for the county of Greene.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. McCaughey, from the committee on propositions and grievances, reported,

A bill to authorize Austin Gresham to sell a slave.

Which bill was read a first time and passed.

Ordered, That the clerk acquaint the Senate therewith.

Mr. McCaughey, from the same committee, made a report upon the petitions of James Eaker, Fanny Stanly and Roger Terrell. And the resolution therein contained was concurred in by the House as follows, to wit:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Dobbins introduced

A bill to amend an act entitled an act to amend the laws now in force prescribing the mode of making partition of lands; passed October 26. 1799.

Mr Stephenson introduced

A bill to regulate the fees of the clerks and masters in equity in this State.

Mr. McLean introduced

A bill directory to the Treasurer of the Western District. And

Mr. Hatley introduced

A bill for the benefit of the heirs of William Chanault, dec.

Which bills were severally read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Dunlap made a motion to reconsider the vote by which a bill for the benefit of James Drennen was rejected.

And the question being taken thereon, it was determined in the affirmative.

Whereupon the said bill was read a second time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill to regulate the receiving of toll at Jetton and Elliott's bridge in Carroll county.

Was amended on motion of Mr. Joel R. Smith.

Whereupon the said bill was read a second time and passed.

Ordered, that the clerk acquaint the Senate therewith.

A bill authorising executors to sell real estate in certain cases,

Was read a second time and passed.

Ordered that the clerk acquaint the Senate therewith.

The House took up the Senate's resolution of the 5th inst. appointing a joint select committee on captains' companies and Justices of the Peace, for special purposes.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Whereupon the Speaker appointed Mr. Stephenson, Mr. Dobbins, Mr. Gordon, Mr. James Gray, Mr. Rogers and Mr. Dew, to be of said committee on part of this House.

Ordered, That the clerk acquaint the Senate therewith.

A message from the Senate by Mr. Hill their clerk.

Mr. Speaker,

The Senate concur in your resolution appointing Justices of the Peace for Humphreys county.

And then he withdrew.

Mr. Carriger, from the committee for enrolled bills, reported A resolution appointing Justices of the Peace for Humphreys county, truly enrolled.

The Speaker signed the said resolution.

Ordered, That the clerk acquaint the Senate therewith.

A bill providing for the more faithful discharge of public trusts,

Was read a second time.

And on the question, Shall the bill pass? it was determined in the affirmative.

YEAS 20

NAYS 14

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Allen, Carriger, Cheatham, Claiborne, Dickinson, Easley, Gordon, Gowen, George Gray, Hurst, Kincaid, Maury, Parris, Roberson, A. E. Smith, Joel R. Smith, Stockton, Turney and Wright.

Those who voted in the negative are,

Mr. Boddie, Dobbins, James Gray, Hatley, Holland, Inge, McFarland, McGaughey, Nevins, Rogers, Stephenson, Vernon, Watkins and Young.

Ordered, that the clerk acquaint the Senate therewith.

A bill for the benefit of mechanics and physicians,

Was read a second time.

Mr. Turney made a motion to postpone the said bill indefinitely.

Y HOUSE.

And the question being taken thereon, it was determined in the affirmative.

YEAS 21

NAYS 17

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Allen, Boddie, Carriger, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Easley, Gordon, Cowen, Holland, McFarland, McGaughey, Roberson, A. E. Smith, Stephenson, Turney, Vernon, Watkins and Young.

Those who voted in the negative are.

Mr. Speaker Huling, Brown, Dunlap, Gillespy, James Gray, George Gray, Hatley, Hurst, Inge, Kincaid, Maury, Nevins, Paris, Rogers, Joel R. Smith, Stockton and Wright.

And so the said bill was rejected.

A bill to authorise Peter N. Smith to sell or dispose of certain property for the benefit of the heirs of James Scott, deceased.

A bill for the relief of William Carter, former sheriff of Carter county. And

A bill for the benefit of Thomas Blake, of Roane county,

Were severally read a second time and passed.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Dunlap introduced

A bill for the relief of Lewis Ross. And

Mr. Dew introduced

A bill to explain the first section of the 35th chapter of the acts of 1827, allowing commissions to constables.

Which bills were severally read a first time and passed.

Ordered, that the clerk acquaint the Senate therewith.

A bill providing for the removal of obstructions in Elk river, Was read a second time, amended on motion of Mr. Kincaid, and passed.

Ordered, that the clerk acquaint the Senate therewith.

The House took up

A bill to equalize the tax on merchants, and the amendment proposed thereto by the committee of finance.

Mr. Claiborne made a motion to postpone the said bill and amendment indefinitely.

And the question being taken thereon, it was determined in the negative:

Mr. Dunlap made a motion to amend the said amendment which was agreed to by the House.

And the question being taken on the adoption of said amendment, it was determined in the affirmative.

Whereupon the said bill was read a second time.

And on the question, Shall the bill pass? it was determined in the affirmative.

YEAS 30
NAYS 9

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Allen, Brown, Carriger, Dickinson, Dobbins, Easley, Gillespy, Gordon, Gowen, James Gray, George Gray, Hatley, Hardin, Holland, Hurst, Kincaid, Maury, McFarland, McGaughey, Nevins, Parris, Roberson, Rogers, A. E. Smith, Joel R. Smith, Stockton, Turney, Vernon, Wright and Young.

Those who voted in the negative are,

Mr. Speaker Huling, Boddie, Cheatham, Claiborne, Dew, Dunlap, Inge, Stephenson and Watkins.

Ordered, that the clerk acquaint the Senate therewith.

A bill to provide for the appointment of a county surveyor for Monroe and McMinn counties,

Was read a second time, amended on motion of Mr. Hurst and passed.

Ordered, that the clerk acquaint the Senate therewith.

A bill to authorise females to obtain divorces in court without cost. A bill to distribute the infantry tactics for the use of the militia. And a bill to secure the attendance of Justices of the Peace for the discharge of their duties in the companies for which they were appointed.

Were severally read a second time and passed.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Claiborne made a motion that the House adjourn until tomorrow morning, 9 o'clock.

And the question being taken thereon, it was determined in the negative.

YEAS 11
NAYS 27

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Boddie, Claiborne, Dew, Dickinson, Gillespy, Gowen, George Gray, Hardin, Holland, Kincaid and Watkins.

Those who voted in the negative are,

Mr. Speaker Huling, Allen, Brown, Carriger, Cheatham, Dobbins, Dunlap, Gordon, James Gray, Hatley, Hurst, Inge, Maury, McFarland, McGaughey, Nevins, Parris, Roberson, Rogers, A. E. Smith, Joel R. Smith, Stephenson, Stockton, Turney, Vernon, Wright and Young.

A bill for the relief of sheriffs and others who have heretofore conveyed convicts to the Penitentiary,

Was read a second time, amended on motion of Mr. Vernon and passed.

Ordered, that the clerk acquaint the Senate therewith.

A bill to incorporate the Somerville Female Academy. A bill for the encouragement of salt works. A bill for the benefit of Eliza Ditmore. A bill for the relief of Dempsey Corbett and others. A bill to authorise the county court of Knox to lay a tax to aid in erecting a new court house, and for other purposes. A bill for the relief of Anna Wherry, of Wilson county. A bill for the benefit of George Wallis, of Wayne county. A bill for the benefit of William Gibson. A bill for the benefit of Sandford and Mitchell, and others. A bill to authorise the commissioners of the Bean's station turnpike road to pay interest on certain money. A bill for the benefit of Thomas H. Fletcher and Dempsey Powell. A bill for the relief of James H. Mosely, of Franklin county. A bill to authorise Jesse Lincoln and company to open a turnpike road. A bill for the benefit of Isaac West, and for the encouragement of iron works. A bill to amend the act incorporating the town of Bolivar, in Hardeman county. A bill to authorise Thomas Tipton and Zechariah Clark, of Blount county, to open a turnpike road. A bill to repeal all laws heretofore passed incorporating the town of Athens, and for other purposes. A bill to authorise the register to issue a certain grant. A bill for the benefit of Joseph Vincent. And a bill for the benefit of Eunice Cummings,

Were severally read a second time and passed.

Ordered, that the clerk acquaint the Senate therewith.

A bill to change the time of holding the circuit and county courts of Shelby and other counties.

Was read a second time.

Mr. Hatley made a motion to postpone the said bill indefinitely.

And the question being taken thereon it was determined in the affirmative,

And so the said bill was rejected.

Mr. Dunlap introduced a bill to prevent the lapse of a year and a day from nullifying judgments rendered before justices of the peace.

Which bill was read a first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill to divorce Jane Breeding from her husband Lindsey O. Breeding—and,

A bill to improve the circuit court system of this State,

Were severally read a second time and rejected.

The House took up a bill directory to the Register of the Western District.

When Mr. McLean proposed an amendment in lieu of the

whole bill, which was agreed to by the House.

Mr. McLean then made a motion to amend the title of said bill so as to read,

"A bill to extend the provisions of an act passed in 1823, chapter 7."

And the question being taken thereon, it was determined in the affirmative.

Whereupon,

The said bill was read a second time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill to regulate the discount of negotiable paper, was read a second time,

And on the question Shall the bill pass? it was determined in the affirmative.

YEAS 21

NAYS 15

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative, are

Mr. Speaker Huling, Allen, Boddie, Carriger, Claiborne, Dew, Dickinson, Dobbins, Dunlap, Gowen, George Gray, Hat-ey, Hurst, McLean, Parris, Roberson, Joel R. Smith, Turney, Watkins, Wright and Young.

Those who voted in the negative are,

Messrs. Brown, Cheatham, Gillespie, Gordon, James Gray, Holland, Inge, Maury, McFarland, McGaughey, Rogers, Alex. E. Smith, Stephenson, Stockton and Vernon.

Ordered, that the Clerk acquaint the Senate therewith.

A bill to change the time of holding muster in the 116th regiment.

A bill to incorporate the stockholders of the city hotel in the city of Nashville.

A bill to authorise the sheriffs of Jackson and other counties to appoint each three deputies,

And a bill to authorise Wm. Simpson to open and establish a toll bridge and turnpike road across Hatchie river,

Were severally read a second time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Dunlap introduced

A bill regulating the return of writs to the Supreme court.

Which bill was read a first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill further to provide for the order and decorum of religious assemblies,

Was read a second time and rejected.

A bill authorizing letters of administration in certain cases,

A bill for the benefit of Joseph Dwyer,

Y2 House.

A bill to establish a town on the land of Robert Robson in Hardiman county,

A bill for the benefit of Thomas Travis of Fentress county,

A bill to authorise Andrew Taylor jr. to build a fish trap,

A bill for the benefit of Jas. Johnston—and

A bill to amend an act entitled an act to authorise Moses Fisk to open a turnpike road,

Were severally read a second time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill to repeal part of the act of 1827, entitled an act to reduce into one the several acts concerning the county revenue.

Was read a second time, amended on motion of Mr. Claiborne, and passed.

Ordered, that the title of said bill be,

“A bill concerning jurors,”

And that the Clerk acquaint the Senate therewith.

And then the House adjourned.

WEDNESDAY, DECEMBER 7, 1831.

Mr. Hurst presented a petition of Allen Jack praying for a divorce.

Ordered, that said petition be referred to the committee on divorces.

Mr. Claiborne presented a petition of Baptist McCombs and others.

Ordered, that said petition be referred to the committee on claims.

Mr. Hardin presented a petition of Joseph Nolen, praying the passage of an act authorizing him to hawk and peddle without a license.

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. McGaughey, from the committee of propositions and grievances, made a report upon the petition of sundry citizens of Franklin county, praying for the passage of an act authorizing them to raise a certain sum of money by lottery for the purpose of erecting a female academy in said county.

And the resolution contained therein, was concurred in by the House, as follows, to wit:

Resolved, that the prayer of the petitioner ought not to be granted.

Mr. McGaughey, from the same committee, reported a bill to extend the north boundary line of the corporation of Lebanon.

Which bill was read a first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Easley, from the committee on divorces, made a report on the petition of Setton Greene, Elizabeth Bird, Lany Dafts, and Alley Jack,

And the resolution therein contained was concurred in by the house as follows, to wit:

Resolved, that the prayer of the petitioner ought not to be granted.

On motion of Mr. Inge,

The House took up the Senate's resolution providing that the two houses of the General Assembly will adjourn without day on the 22d inst. and that no bill shall be introduced into either house after the 12th, unless reported by a committee.

And the question being taken on concurring therein, it was determined in the negative.

When Mr. Inge introduced the following resolution, to wit:

Resolved by the General Assembly of the State of Tennessee, That the two houses will adjourn without day on the 19th inst. and that no bill shall be introduced or reported into either house after the 10th.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

A message from the Senate, by Mr. Hill their Clerk.

Mr. Speaker—

The Senate concur in your resolution appointing justices of the peace for the county of Greene. The Speaker of the Senate did this day sign enrolled bills of the following titles, to wit:

An act to amend an act entitled an act to dispose of certain lands in Hawkins county, commonly called Sims' Big Survey.

An act for the benefit of William Moore of Gibson county,

An act to amend an act entitled an act to incorporate the Galatin turnpike company,

An act for the relief of Albert Thomas,

An act to extend the time allowed by law for the erection of certain turnpikes and bridges in the Western District, and for other purposes,

An act to incorporate the town of Cornersville in the county of Giles.

An act to incorporate a female academy in Athens, and

An act to authorize the construction of a bridge.

And then he withdrew.

Whereupon,

The Speaker signed the said acts.

Ordered, That the Clerk deposit the same in the office of the

Secretary of State.

A bill to abolish imprisonment for debt,

Was read a second time, amended on motion of Mr. Allen, and passed.

Ordered, that the Clerk acquaint the senate therewith.

A bill authorizing executors to sell real estate in certain cases.

A bill for the relief of Edmund Bean, a citizen of Rhea county.

A bill for the benefit of Joseph Hicks, jailer of Hawkins county.

A bill to amend an act entitled an act to incorporate the Nashville and Franklin turnpike company—and

A bill to incorporate the Clarksville and Russellville rail road company,

Were severally read a third time and passed.

Ordered, that the clerk acquaint the Senate therewith.

A bill directing the treasurer of West Tennessee to sell the real estate belonging to the Bank of the State of Tennessee, and

A bill for the benefit of Joseph Davy of Hickman county.

Were severally read a third time and rejected.

Mr. Brown introduced the following resolution, to wit:

Resolved, by the General Assembly of the State of Tennessee, that the President and Directors of the Bank of the State of Tennessee be and they are hereby directed to sell and dispose of the real estate taken to secure any debts or demands due to said bank upon such terms and in such manner as they may think most conducive to the interest of the State. Provided said sale shall be publicly made after giving 60 days notice in the news papers at Nashville, Knoxville and Jackson.

On motion of Mr. Watkins,

Ordered, that said resolution lie on the table.

The Speaker laid before the House a message in writing from the Governor of the State.

The said message was read at the clerk's table and is as follows to wit:

*Fellow citizens of the Senate and
of the House of Representatives.*

In compliance with your resolution requesting information of the number of public arms belonging to the state, their condition, quality and place of deposite, I have to remark that we have at sundry times received arms from the General Government as follows, to wit:

Two hundred and sixty boxes containing	5233 muskets.
Now ready for delivery by the ordnance department.	2305 do

In all,

7538 do

Of this number, seventeen hundred have been loaned agreeably to the provisions of the act of 1825

1700

In the arsenal,

5838

There are also loaned to different companies of cavalry three hundred and sixty brace of pistols, and three hundred and sixty swords, all that the State owns. The State also owns three pieces of heavy six pound cannon of iron on carriages with all the necessary ordnance stores. One of those pieces was loaned to Capt. Langtry of Columbia, and another to a company at Snelbyville. The remaining piece is in store at Nashville. There are likewise about fifty rifles in the arsenal at Nashville.

The arms in the arsenal are in excellent condition, and will remain so for a long time to come, in consequence of their being in close boxes. Those which have been loaned so far as I have information, are in very bad order—the companies in most instances evincing a total disregard to the obligation they are under to the State to keep the arms free from injury.

The arms belonging to the State are of great value, and should always be in a condition to be useful in the event of war, or any other great emergency; but judging from the experience of the past, I am persuaded that if they are loaned out to the militia in a few years one half of them will be lost or destroyed.—With this view of this subject I cannot but recommend to your consideration the repeal of the law authorizing the public arms to be loaned, or so modified that those who borrow shall be made promptly to account for any injury the arms may sustain.

WM. CARROLL.

*Executive Office,
Nash. Dec. 7, 1831.*

Ordered, that said message lie on the table.

Mr Carriger from the committee for enrolled bills, reported a resolution appointing justices of the peace for Greene county truly enrolled.

The Speaker signed the said resolution.

Ordered, That the clerk acquaint the Senate therewith.

A bill to authorize the administrator of Samuel Hanna dec'd to convey a certain tract of land to the person therein named.

Was read a third time, and last time passed and ordered to be engrossed.

Mr. Holland introduced

The following resolution, to wit:

“Whereas a bill providing for the opening of the land office has passed this House without being read but once—and whereas the constitution provides that each and every bill shall be read three times on three several days before it passes into a law

—and it is important that the constitution should be preserved.

Therefore,

Resolved, by this House that the Senate be requested to send said bill back so that this House may proceed in a constitutional way in the passage of said bill.

Mr. Gillespie made a motion to postpone the said resolution indefinitely.

And the question being taken thereon it was determined in the negative.

YEAS 19

NAYS 20

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Boddie, Brown, Carriger, Cheatham, Claiborne, Dobbins, Dunlap, Easley, Gillespie, Gordon, George Gray, Kincaid, Maury, McFarland, Nevins, Rogers, Turney and Watkins.

Those who voted in the negative are,

Messrs. Allen, Dew, Dickinson, James Gray, Hatley, Hardin, Holland, Hurst, Inge, McGaughey, McLean, Parris, Roberson, Alex. E. Smith, Joel R. Smith, Stephenson, Stockton, Vernon, Wright and Young.

Whereupon the question was taken on agreeing to said resolution, and determined in the negative.

YEAS 18

NAYS 21

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Dickinson, James Gray, Hatley, Hardin, Holland, Hurst, Inge, McGaughey, McLean, Parris, Roberson, Alex. E. Smith, Joel R. Smith, Stephenson, Stockton, Vernon, Wright and Young.

Those who voted in the negative are,

Messrs. Speaker Huling, Allen, Boddie, Brown, Carriger, Cheatham, Claiborne, Dew, Dobbins, Dunlap, Easley, Gillespie, Gordon, Geo. Gray, Kincaid, Maury, McFarland, Nevins, Rogers, Turney and Watkins.

A bill to indemnify such counties in this State, as are deprived of part of their county revenue by the act of Aug. 14, 1822, and the compact between the commissioners appointed by said act,

Was read a third time. And on the question, Shall the bill pass? it was determined in the negative.

YEAS 16

NAYS 23

The yeas and nays being desired by the constitutional number members,

Those who voted in the affirmative are,

Messrs. Speaker Huling, Carriger, Dunlap, Easley, Gowen, James Gray, George Gray, Hatley, Hardin, Holland, Kincaid, McLean, Parris, Rogers, Joel R. Smith and Stockton.

Those who voted in the negative are,

Messrs. Allen, Boddie, Brown, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Gillespie, Gordon, Hurst Inge, Maury, McFarland, McGaughey, Nevins, Roberson, A. E. Smith, Stephenson, Turney, Vernon, Watkins, Wright and Young.

And so the said bill was rejected.

Mr. Watkins introduced

A bill for the relief of the 77th regiment.

Which bill was read a first time and passed.

Ordered that the clerk acquaint the Senate therewith.

A bill for the benefit of the heirs of Daniel Wheaton and the heirs of James Tisdall. A bill to encourage the manufacture of iron in this State. A bill to repeal part of an act passed the 15th

January, 1830. A bill for the benefit of James Young, of parts. A bill for the benefit of McNairy county. A bill to alter the time of holding regimental musters in the 112th regiment.

A bill to regulate the practice on writs of mandamus. A bill to establish an independent volunteer company in Knoxville; and a bill for the relief of the Covington sentinels,

Were severally read a second time and passed.

Ordered, That the clerk acquaint the Senate therewith.

Mr. Easley introduced

A bill to prevent any person from disturbing persons at public worship

Which bill was read a first time and rejected.

The House took up a bill to tax the retailers of spirituous liquors, and to appropriate the moneys arising therefrom to common schools.

Mr. Watkins made a motion to postpone the said bill indefinitely.

And the question being taken thereon, it was determined in the negative.

YEAS 13

NAYS 24

The yeas and nays being desired by the constitutional number members,

Those who voted in the affirmative are,

Messrs. Boddie, Cheatham, Claiborne, Dew, Dickinson, Gillespie, James Gray, Hatley, Inge, McFarland, Parris, Roberson and Watkins,

Those who voted in the negative are,

Messrs. Speaker Huling, Allen, Brown, Carriger, Dobbins, Easley, Gowen, Geo. Gray, Hardin, Holland, Hurst, Maury, McGaughey, McLean, Nevins, Rogers, A. E. Smith, J. R. Smith, Stephenson, Stockton, Turney, Vernon, Wright and Young.

Mr. Boddie made a motion to amend the bill so as to exclude Sumner county from the operation of its provisions.

And the question being taken thereon, it was determined in the negative.

YEAS 15

NAYS 23

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Boddie, Brown, Claiborne, Dew, Dobbins, Gillespie, James Gray, Hardin, Holland, McFarland, McLean, Nevins, Parris, A. E. Smith, and Watkins.

Those who voted in the negative are,

Messrs. Speaker Huling, Allen, Carriger, Cheatham, Dickinson, Dunlap, Easley, Gordon, Gowen, George Gray, Hurst, Inge, Maury, McGaughey, Roberson, Rogers, Joel R. Smith, Stephenson, Stockton, Turney, Vernon, Wright and Young.

Mr Cheatham made a motion to amend the title of said bill so as to read, A bill to encourage vice for the purpose of promoting education.

And the question being taken thereon, it was determined in the negative

YEAS 13

NAYS 26

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Allen, Boddie, Cheatham, Claiborne, Dew, Dickinson, Gowen, James Gray, Hatley, Parris, Roberson, Watkins and Young.

Those who voted in the negative are,

Mr. Speaker Huling, Brown, Carriger, Dobbins, Dunlap, Easley, Gillespie, Gordon, George Gray, Hardin, Holland, Hurst, Inge, Maury, McFarland, McGaughy, McLean, Nevins, Rogers, Alex. E. Smith, J. R. Smith, Stephenson, Stockton, Turney, Veron and Wright.

Whereupon the said bill was read a third time.

And on the question shall the bill pass? it was determined in the affirmative.

YEAS 21

NAYS 18

The yeas and nays being desired by the constitutional number of members.

Those who voted in the affirmative are,

Mr. Speaker Huling, Brown, Carriger, Dobbins, Dunlap, Easley, Gordon, Hardin, Hurst, Maury, McGaughey, McLean, Nevins, Rogers, A. E. Smith, Joel R. Smith, Stephenson, Stockton, Turney, Vernon, and Wright.

Those who voted in the negative are,

Mr. Allen, Boddie, Cheatham, Claiborne, Dew, Dickinson, Gillespie, Gowen, James Gray, Geo. Gray, Holland, Inge, McFarland, Parris, Roberson, Watkins, and Young.

Ordered, That the Clerk acquaint the Senate therewith.

A bill to suppress the passing of treasury notes and change tickets.

A bill supplemental to an act passed in 1829, authorising Thomas Butler to open a turnpike road.

A bill to repeal the tax upon the probate of deeds, mesne conveyances, and for other purposes.

A bill to amend the law now in force regulating the taxation of costs. And

A bill to establish a turnpike bridge across Hatchee river in Haywood county,

Were severally read a second time and rejected.

A bill for the benefit of Wilson Sanderlin and others,

Was read a third time and last time, passed and ordered to be engrossed.

Mr. Dew made a motion to reconsider the vote by which a bill to indemnify the counties deprived of part of their revenue by an act of Aug. 14, 1822, and the compact under the provisions of said act, was rejected.

And the question being taken thereon, it was determined in the affirmative.

And so the said bill was reconsidered.

A bill to improve the navigation of Obeds river, in Overton and Fentress counties, and for other purposes.

A bill for the relief of those persons who are about to be injured by the loss of papers, records, &c. by the hurricane at Charlotte, in 1850.

A bill to repeal an act entitled an act to explain and amend an act entitled an act to regulate certain proceedings on executions, and for other purposes; passed November 27, 1829.

A bill for the relief of Cullen and Willie Bayless.

A bill for the benefit of Field Farrow, clerk of Dickson county court.

A bill to prevent sheriffs and other officers holding elections, from opening tickets of voters.

A bill to exempt certain persons in Rhea county from mustering.

A bill to amend an act entitled an act to authorise Allen McDonald to open a turnpike road. And

Z House.

A bill to release Hale's turnpike from the payment of a state tax,

Were severally read a third time and passed.

Ordered, that the clerk acquaint the Senate therewith.

A bill from the Senate to compensate George W. Wood, sergeant at arms, to the court of impeachment on the trial of Joshua Haskell,

Was read a first time, amended on motion of Mr. Claiborne, and passed.

Ordered, that the title of said bill be,

A bill to provide for the payment of expenses incurred in the trial of Judge Haskell, and that the clerk acquaint the Senate therewith.

A bill to amend the laws now in force in relation to the turnpike road across Cumberland mountain, of which Samuel Harris is proprietor,

Was read a second time, amended on motion of Mr. George Gray, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Carriger, from the committee for enrolled bills, reported,

An act to authorise the administrator of Samuel Hannah, to convey a tract of land to the person therein named, truly enrolled.

The Speaker signed the said act,

Ordered, that the clerk acquaint the Senate therewith.

On motion of Mr. Dew,

Resolved, That a select committee be appointed to take into consideration the subject referred to in the Governor's message, relative to the public arms of the State of Tennessee,

Whereupon the Speaker appointed said committee, consisting of Mr. Dew, Mr. Joel R. Smith and Mr. Gowen.

The House took up

A bill to compensate Samuel G. Smith for services performed and moneys expended in the service of the State.

Ordered, that said bill be referred to the committee on claims.

A bill supplemental to an act entitled an act providing for the leasing of lands which have been set apart for the use of common schools, and for the keeping of schools on the same; passed Oct. 29, 1831,

Was read a second time, amended on motion of Mr. George Gray, and passed.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Allen made a motion to reconsider the vote by which a bill to amend the act incorporating the Nashville and Franklin turnpike company, was passed.

And the question being taken thereon, it was determined in the affirmative.

And so the said bill was reconsidered.

The following bills from the Senate were severally read a first time and passed, to wit:

A bill to provide for the payment of the unsatisfied claims adjudged valid for improvements made in the Hiwassee District.

A bill to explain an act on the subject of turf racing; passed July 13, 1820. And

A bill to establish the 12th Judicial circuit of this State,

Ordered, That the clerk acquaint the Senate therewith.

The following bills from the Senate were severally read a first time and rejected, to wit.

A bill to repeal the first section of an act entitled an act to prevent appeals in cases of roads operating as supersedeas.

A bill for the relief of Colins Roberts. And

A bill for the relief of the persons therein named.

The following bill from the Senate, to wit:

A bill to appropriate money and appoint commissioners to superintend the opening of a road from Charlotte's Roads to Paperville,

Was read a first time,

And on the question, Shall the bill pass? it was determined in the affirmative.

YEAS 20

NAYS 14

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Brown, Carriger, Claiborne, Dobbins, Gillespie, James Gray, Geo. Gray, Hatley, Hardin, Holland, Hurst, Inge, McFarland, McLean, Parris, Roberson, Alexander E. Smith, Joel R. Smith, Stockton and Wright.

Those who voted in the negative are,

Mr. Speaker Huling, Allen, Boddie Cheatham, Dew, Dickinson, Gowen, Maury, McGaughey, Nevins, Turney, Vernon, Watkins and Young.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Stephenson introduced the following resolution, to wit:

Resolved, That the Senate meet the House of Representatives on Monday next at 12 o'clock, for the purpose of electing one Judge of the Supreme Court of this State to fill the vacancy occasioned by the resignation of Judge Catron, one of the Judges of said court.

On motion of Mr. Brown,

Ordered, That said resolution lie on the table.

The following bills from the Senate were severally read a first time and passed, to wit:

A bill to establish a board of internal improvement for the mountain district. A bill to incorporate the Columbia Female Academy. A bill for the benefit of Charles Metcalfe. A bill for the relief of Westly Simmons and others of Claiborne county. A bill for the benefit of Lucinda Allen.

A bill for the relief of William Anderson, clerk of Sullivan circuit court. A bill concerning the taxation of costs in the supreme court.

Which bill was amended on motion of Mr. Turney.

A bill for the relief of Thomas Fite and Jephtha Billingsly. And

A bill to provide for holding a chancery court at Knoxville and Athens.

Ordered, That the clerk acquaint the Senate therewith.

A bill to amend an act entitled an act to incorporate the Nashville and Franklin Turnpike Company,

Was read a third time, amended on motion of Mr. Maury and rejected.

Mr. Gordon introduced

A bill for the benefit of Gabriel Foulkes, of Hickman county.

Which bill was read a first time and passed.

Ordered, that the clerk acquaint the Senate therewith.

A bill to provide for the divorce of Maria Harp from her husband Nathan Harp.

Which bill was amended on motion of Mr. Jas. Gray; and

A bill authorising Elijah Anthony, of Giles county, to build a mill,

Were severally read a second time and passed.

Ordered, that the clerk acquaint the Senate therewith.

A bill for the benefit of purchasers of lots in Somerville,

Was read a third time and last time, passed and ordered to be engrossed.

A bill to amend the judiciary system,

Was read a second time,

And on the question, Shall the bill pass? it was determined in the affirmative.

YEAS 20

NAYS 19

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Allen, Boddie, Brown, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Gillespy, Gordon, Gowen, Jas. Gray, Hatley, Inge, Maury, McLean, Turney, Watkins and Wright.

Those who voted in the negative are,

Mr. Carriger, Dunlap, Easley, George Gray, Hardin, Hol-

land, Hurst, McFarland, McGaughey, Nevins, Parris, Roberson, Rogers, A. E. Smith, J. R. Smith, Stephenson, Stockton, Vernon and Young.

Ordered, that the clerk acquaint the Senate therewith.
And then the House adjourned.

THURSDAY, DECEMBER 8th, 1831.

Mr. McFarland presented a petition of Peter North, of Jefferson county, praying to be released from a forfeiture taken against him in the circuit court of said county.

Ordered, that said petition be referred to the committee of propositions and grievances.

Mr. Alexander E. Smith presented petitions of sundry citizens of Cocke county, praying the appointment of George Neice, John J. Howell, William Roberson, Loyd B. Young, G. W. Carter, Elias Sisk, John McMahan, Abm. Lillard, William Gilleland and Jones Philips, as Justices of the Peace for said county; and

Petitions of sundry citizens of Sevier county, praying the appointment (of) William M. Compton, John Nichol, Thomas Atchley and Randall Hill, as Justices of the Peace for said county.

Ordered, that said petitions be referred to the committee on captains' companies and Justices of the Peace.

Mr. Nevins presented petitions of sundry citizens of Overton county, praying the establishment of Jonathan Douglass' line between the counties of Overton and Fentress, and for the establishment of a seat of Justice at or near the centre of Overton county.

Ordered, that said petitions be referred to the committee on new counties and county lines.

Mr. Kincaid presented the resignation of William Moody as a justice of the peace for Bedford county,

Which was read and accepted.

Ordered, that said resignation be referred to the committee on captain's companies and justices of the peace.

Mr. Maury presented a petition of sundry inhabitants of Williamson county, praying the incorporation of a bank.

Ordered, that said petition lie on the table.

Mr. Dickinson presented a petition of sundry citizens of Jefferson and its vicinity in Rutherford county, praying that the town of Jefferson may be incorporated.

Ordered, that said petition be referred to the committee of propositions and grievances.

Mr. Carriger from the committee for enrolled bills, reported,
An act for the relief of Wilson Sanderlin and others,

Z2 House.

And an act for the benefit of purchasers of lots in the town of Somerville, truly enrolled.

The Speaker signed the said acts.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Watkins from the committee on claims, made a report upon the petition of Baptist McCombs and others

And the resolution therein contained was concurred in by the House as follows, to wit:

Resolved, that the prayer of the petitioner ought not to be granted:

Ordered, That the committee of claims be discharged from the further consideration of

A bill to compensate Samuel G. Smith for services performed, and money expended in the service of the State.

Mr. Gordon from the committee on land claims, reported, a bill for the benefit of Wm. B. Loftin, Stephen Lacy and Leonard P. Cheatham.

Which bill was read a first time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Gordon,

Ordered, That the committee on land claims be discharged from the further consideration of the petition of John C. McLe-more and Thomas Hopkins, and the grants, papers and other evidences of claims of Jacob Hardin—and that Mr. Watkins have leave to withdraw the documents belonging to said Hardin.

Mr. Dunlap from the committee on Internal Improvements, made a report unfavorable to the petition of sundry citizens of Wilson, Smith and Davidson counties, praying the passage of an act authorizing the drawing of a lottery to raise a sum of money to turnpike a road from Liberty in Smith county to Thomas Hardin's in Davidson county.

Mr. Dew made a motion to recommit the petition to said committee with instructions to report a bill in conformity with the prayer thereof.

And the question being taken thereon, it was determined in the negative.

Whereupon,

The question was taken upon a concurrence with the report of the committee,

And determined in the affirmative.

Mr. Hatly, from the select committee on the Memphis Hospital, reported

A bill for the benefit of the Memphis Hospital,

Which was read a first time and passed.

Ordered, that the clerk acquaint the Senate therewith.

A message from the Senate by Mr. Hill their clerk.

Mr. Speaker—

The Senate have adopted a resolution directory to the cashier of the Bank of the State of Tennessee.

A resolution directory to the president and trustees of the Nashville University, and

A resolution proposing to meet the House of Representatives in their hall on the 15th inst. for the purpose of taking into consideration the propriety of recommending to the people to vote for or against the call of a convention at the next general election.

The Senate concur in your resolution appointing Justices of the Peace for the counties of Shelby, Hardin and Franklin—and in your resolution providing that the two Houses of the General Assembly will adjourn without day on the 19th inst. and that no bill shall be introduced or reported into either House after the 10th.

And then he withdrew.

On motion of Mr. Gillespie,

Ordered, that the first of said resolutions lie on the table.

And the question being taken on agreeing to the second and third of said resolutions,

It was determined in the affirmative.

Ordered, That the clerk acquaint the Senate therewith.

Mr. Claiborne introduced

A resolution appointing Henry Hagan a Notary Public for Davidson county—and,

A resolution for the benefit of Mark Christian.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Gordon introduced

A bill to divide the 25th regiment into three battalions.

Which bill was read a first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill to reduce Clerk's fees in certain cases,

A bill to repeal an act authorizing the Mayor and aldermen of the town of Huntingdon to sell certain lots and for other purposes,

A bill to incorporate the Columbian rail road company,

A bill for the benefit of Daniel Madding,

A bill to compensate Saml. G. Smith, for services performed and money expended in the service of the State—and

A bill for the benefit of John B. Rodgers and Archibald C. Rodgers of Fentress county,

Were severally read a second time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. — Gray made a motion to reconsider the vote by which

a bill for the benefit of Thomas Adams and Bazil Rogers was rejected,

And the question being taken thereon, it was determined in the affirmative.

And so the said bill was reconsidered.

On motion of Mr. Kincaid,

Ordered, that a bill to amend an act entitled an act to establish a system of common schools, and to appropriate the school fund, passed Jan. 14, 1830, be made the order of the day for tomorrow.

Mr. Carriger, from the committee for enrolled bills reported a resolution appointing justices of the peace for the counties of Shelby, Hardin and Franklin, truly enrolled.

The Speaker signed the said resolution.

Ordered, that the Clerk acquaint the Senate therewith.

A bill for the relief of Nathan Job.

A bill to prevent non-residents from grazing stock in Claiborne and Campbell counties—amended on motion of Mr. Easley,

A bill for the relief of Robert Jetton and Robert Elliott,

A bill prescribing certain duties to the Clerks of the several courts in this State,

A bill declaratory of the law concerning contempts of court.

A bill to appoint additional trustees for Bolivar female academy—and

A bill to authorize M. H. Howard and others to build a mill or iron works across Big Sandy river in Henry county.

Were severally read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Hardin introduced a bill for the benefit of Josepe Nolen, and Mr. Claiborne introduced a bill to prevent the entry or settlement of land south of Winchester's line.

Which bills were read a first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Claiborne made a motion to reconsider the vote by which a bill to amend the act incorporating the Nashville and Franklin turnpike company was rejected.

And the question being taken thereon, it was determined in the affirmative.

And so the said bill was reconsidered.

A message from the Senate by Mr. Hill their clerk:

Mr. Speaker—

The Senate concur in your resolution proposing to go into the election of a chancellor of the western division and of other officers on the 12th inst, but nonconcur as to the election of a treasurer of middle Tennessee:

The Senate have adopted a resolution that a joint select committee be appointed to make an estimate of the expences of this

General Assembly to include Monday the 19th instant and no further. And the Speaker of the Senate has appointed Mr. Ery, Mr. Burford, and Mr. Murray to be of said committee on part of the Senate.

The speaker of the senate did this day sign enrolled bills of the following titles, to wit:

An act appointing the time of holding regimental musters in the 99th regiment,

An act for the benefit of the heirs and creditors of James Peak dec'd.

An act for the benefit of Richard C. Napier

An act to repeal an act passed Oct. 8, 1825, entitled an act for the relief of Jotham Brown,

An act to provide for the permanent establishment of the seat of justice in Overton county,

An act to extend the provisions of an act concerning the register of the Hiwassee district,

An act for the relief of the creditors of Anthony Gilliam dec'd.

An act to authorize Timothy Dotson to build a bridge.

An act for the relief of Wm. Pope,

An act for the benefit of the quorum court of Williamson county,

An act to appoint a commissioner on Hale's turnpike road,

An act to amend an act passed in the year 1829, chap. 52,

An act to authorise Cain Broyles to open a turnpike road—and,

A resolution appointing justices of the peace for the county of Wayne.

The Senate concur in your resolution appointing Henry Hagan a notary public for Davidson county, and nonconcur in your resolution for the benefit of Mark Christian.

And then he withdrew.

And the question being taken on agreeing to the resolution contained in said message providing for the appointment of a joint select committee to make an estimate of the expenses of the present session.

It was determined in the affirmative.

Whereupon,

The Speaker appointed Mr. Cheatham and Mr. Stephenson to be of said committee on part of this House.

Ordered, that the clerk acquaint the Senate therewith.

A bill for the relief of Sally Ingram, of Carroll county.

A bill to repeal the 13th section of an act passed in 1779, chapter 10.

A bill to compel owners of turnpike roads and toll bridges, to keep the same in repair.

A bill exempting citizens of Marion county attached to a

troop of cavalry from attending regimental musters.

A bill to distribute the surplus books in the Secretary's office, and for other purposes.

A bill to repeal an act entitled an act to provide a permanent office for the public papers of the State.

A bill to restore James Carroll, of Campbell county, to legal privileges.

A bill for the relief of Charles McNally, of McMinn county.

A bill for the relief of Orange Ham, of Williamson county.

A bill to appoint Hugh Houston a commissioner for the town of Rutledge.

A bill for the benefit of Elisha Askew.

A bill supplementary to an act passed Dec. 6, 1825, to authorize William Reynolds to open a turnpike road.

A bill for the benefit of Thomas L. Gray, of Haywood county. And a bill to set apart 25 acres of land for a school house in Henderson county,

Were severally read a second time and passed.

Ordered, that the clerk acquaint the Senate therewith.

A bill to reduce the tax on pedlars. And a bill to refund certain moneys to Samuel Box,

Were severally read a second time and rejected.

The House took up a bill to divorce Henry Anderson from his wife Fanny Anderson,

Which bill was amended on motion of Mr. Turney and Mr. Claiborne.

Mr. Young made a motion to amend the bill by adding thereto a provision divorcing Robert H. Williams, of Hawkins county, from his wife Ann.

And the question being taken thereon, it was determined in the negative.

Whereupon the said bill was read a second time.

And on the question Shall the bill pass? it was determined in the affirmative.

YEAS 20

NAYS 17

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative, are

Messrs. Claiborne, Dickinson, Dobbins, Easley, Gordon, Gowen, George Gray, Hatley, Hardin, Kincaid, Maury, McGaughey, Nevins, Parris, Rogers, Alex. E. Smith, Joel R. Smith, Stockton Turney and Wright.

Those who voted in the negative are,

Messrs. Speaker Huling, Boddie, Brown, Carriger, Cheatham, Dew, Gillespie, James Gray, Holland, Hurst, Inge, McFarland, Roberson, Stephenson, Vernon, Watkins and Young.

On motion of Mr. McGaughey,

Resolved, That a joint select committee be appointed to ascertain and report the number of acts and Journals to be distributed to each county.

The Speaker appointed Mr. McGaughey, Mr. Hatley, Mr. Maury and Mr. Nevins, to be of said committee on part of this house.

Ordered, that the clerk acquaint the Senate therewith, and ask their concurrence therein.

A bill to establish houses of labor,

Was read a second time.

Mr. Dew made a motion to postpone the said bill indefinitely.

And on the question, Shall the bill pass? it was determined in the affirmative.

YEAS 21

NAYS 16

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Boddie, Brown, Cheatham, Dew, Dickinson, Dobbins, Easley, Gordon, Gowen, James Gray, Hatley, Holland, Inge, Kincaid, McFarland, McGaughey, Rogers, A. E. Smith, Joel R. Smith, Stephenson and Young.

Those who voted in the negative are,

Mr. Speaker, Huling, Carriger, Claiborne, Gillespy, Geo. Gray, Hardin, Hurst, Maury, Nevins, Parris, Roberson, Stockton, Turney, Vernon, Watkins and Wright.

And so the said bill was rejected.

A bill to incorporate a Female Academy in the county of Rhea.

Was read a second time, amended and passed.

Ordered, that the clerk acquaint the Senate therewith.

And then the House adjourned.

FRIDAY, DECEMBER 9, 1831.

Mr. Nevins presented the resignation of Hugh C. Armstrong as a justice of the peace for Overton county.

Which was read, accepted, and ordered to be referred to the committee on Captains companies and justices of the peace.

Mr. Gordon presented a petition of sundry citizens of Hickman county, praying the passage of an act authorising them to raise a sum of money by lottery, for the purpose of building two bridges across Duck river.

Ordered, that said petition be referred to the committee of propositions and grievances.

Mr. McGaughey, from the committee of propositions and grievances, reported,

A bill for the relief of Peter North.

Which bill was read a first time and passed.

Ordered, that the clerk acquaint the Senate therewith.

On motion of Mr. McGaughey,

Ordered, that the committee of propositions and grievances be discharged from the further consideration of all petitions referred to them, praying for the privilege to hawk and peddle without license; as this house has repeatedly during the present session refused to grant such privilege by law: and as there is a bill before the Legislature on its passage, authorising the county courts to grant such license.

Mr. McGaughey, from the same committee, made a report on the petition of sundry citizens of Rutherford county, praying that the place of holding a precinct election, may be changed.

And the resolution therein contained was concurred in by the house as follows, to wit:

Resolved that the prayer of the petitioner ought not to be granted.

Mr. Watkins, from the committee of claims, to whom had been referred,

A bill to authorise the treasurer of Middle Tennessee, to refund money to Matthew McClanahan, without amendment, and recommended its rejection,

Whereupon the said bill was read a first time and rejected.

Mr. Gordon, from the committee on land claims, reported

A bill for the benefit of Thomas J. Porter.

Which bill was read a first time and rejected.

Mr. Nevins, from the committee on captains' companies and Justices of the Peace, reported

A resolution appointing Justices of the Peace for the counties of Cocke, Sevier, Giles, Marion and Stewart.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, that the clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Nevins from the same committee to whom has been referred the Senate's resolution appointing justices of the peace for Washington county, reported the same, and recommended to the house to nonconcur with so much of said resolution as appoints Samuel Bogart a justice of the peace for said county.

And the question being taken on a concurrence with the report of the committee,

It was determined in the affirmative.

Whereupon,

The question was taken on agreeing to the balance of said resolution, and determined in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Carriger, from the committee for enrolled bills, reported
A resolution appointing Henry Hagan Notary Public for Davidson county, truly enrolled,

The Speaker signed the said resolution.

Ordered, that the Clerk acquaint the Senate therewith.

The House took up

A bill to amend an act entitled an act to establish a system of common schools and to appropriate the school fund; passed January 13, 1830.

Mr. Claiborne made a motion to lay the said bill on the table.

And the question being taken thereon it was determined in the negative.

YEAS 18

NAYS 21

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Brown, Cheatham, Claiborne, Dew, Dobbins, Gillespie, Gordon, George Gray, Hatley, Holland, Hurst, Inge, Nevins Joel R. Smith, Stockton, Vernon and Wright.

Those who voted in the negative are,

Mr. Speaker Huling, Allen, Boddie, Carriger, Dickinson, Dunlap, Easley, Gowen, James Gray, Hardin, Maury, McFarland, McGaughey, Parris, Roberson, Rogers, Alex. E. Smith, Stephenson, Turney, Watkins and Young.

Ordered, that Mr. Vernon have leave to withdraw the said bill for amendment.

A bill to amend the law authorising each county to establish and control a poor house.

A bill for the relief of the citizens of Kingsport in Sullivan county; and

A bill for the benefit of Garnishees,

Were severally read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. James Gray introduced

A bill for the benefit of William P. Steagald.

Mr. Holland introduced

A bill for the relief of John Charlton and others.

Mr. Hurst introduced

A bill supplemental to an act passed at the present session, entitled an act to dispose of the forfeited lands in the Hiwassee district; and

Mr. Roberson introduced

A bill to release Gardner's turnpike from the payment of a State tax,

Which bills were severally read a first time and passed.

A HOUSE.

Ordered, that the Clerk acquaint the Senate therewith.

The House took up the resolution heretofore reported by Mr. Brown, from the select committee to whom was referred the memorial of sundry citizens of Greene and other counties on that subject, instructing the Senators, and requesting the Representatives in Congress from this State, to vote against rechartering the present Bank of the United States, in case that question should come before them.

When Mr. Allen offered the following preamble and resolutions in lieu of those reported by the said committee, to wit.

“Whereas certain petitions and memorials have been presented to this Legislature, requesting its interposition in regard to the anticipated application to Congress by the President and Directors of the Bank of the United States, for a renewal of the charter of that institution.

And whereas, in the opinion of this General Assembly, it is highly important for the preservation of the harmony of our federal system, that the State and General Government should avoid as much as possible all interference with the appropriate duties and operations of each other:

Therefore,

Resolved, by the General Assembly of the State of Tennessee, That reposing, as we do, the utmost confidence in the integrity, ability and discretion of the representatives of the people of this State, both in the Senate and House of Representatives of the United States; and believing that they are as well, and perhaps better, acquainted with the State of public sentiment among their respective constituents, in relation to such subjects as are likely to be agitated in Congress, as the Legislature can be, and have every disposition properly to respect and be influenced by such public sentiment, it would be unnecessary, inexpedient, and might prove embarrassing to them, for this General Assembly to assume the responsibility of dictating the course they ought to pursue in relation to a measure involving such a variety of questions as that of the United States' Bank, that we will forbear to trammel our representatives with any specific instructions; leaving it to their good sense, and the circumstances that surround them.

Resolved, That in the event of an application by the President and Directors of the Bank of the United States, for a renewal of the charter of that institution, or of a proposition to create a similar one, there is no reason to doubt the ability or the disposition of the representation in Congress from Tennessee, without the aid of any advice or direction from this General Assembly to protect and maintain the rights and interests of the people they represent, to oppose with energy and efficiency any measures inconsistent with the wishes of their constituents, or the welfare

of the nation, and to use all proper exertions to prevent the renewal of the present charter, or the creation of a new one, except on such conditions, and with such provisions, modifications and restrictions as, after mature deliberation and thorough investigation, they may consider amply sufficient for, and consistent with the maintenance of the rights of all, and the promotion and security of the best interests of this State, and of our common country.

And the question being taken on the adoption of said preamble and resolutions in lieu of those reported by the committee,

It was determined in the negative.

YEAS 7

NAYS 32

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Speaker Huling, Allen, Cheatham, Dickinson, George Gray, Maury and Turney.

Those who voted in the negative are,

Messrs. Boddie, Brown, Carriger, Claiborne, Dew, Dobbins, Dunlap, Easley, Gillespie, Gordon, Gowen, James Gray, Hatley, Hardin, Holland, Hurst, Inge, Kincaid, McFarland, McGaughy, McLean, Nevins, Parris, Roberson, Rogers, Alex. E. Smith, Joel R. Smith, Stephenson, Stockton, Vernon, Watkins, Wright and Young.

Whereupon the question was taken on the adoption of the preamble and resolutions reported by the committee,

And determined in the affirmative.

YEAS 32

NAYS 7

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Boddie, Brown, Carriger, Claiborne, Dew, Dobbins, Dunlap, Easley, Gillespie, Gordon, Gowen, James Gray, Hatley, Hardin, Holland, Hurst, Inge, Kincaid, McFarland, McGaughy, McLean, Nevins, Parris, Roberson, Rogers, A. E. Smith, Joel R. Smith, Stephenson, Stockton, Vernon, Watkins, Wright and Young.

Those who voted in the negative are,

Messrs. Speaker Huling, Allen, Cheatham, Dickinson, George Gray, Maury and Turney.

Ordered, that the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Parris introduced

A bill to raise \$20,000 by lottery to build a bridge across Caney Fork.

Mr. Gillespy introduced

A bill for the benefit of Franklin Colburn, alias Franklin Enis.

Which bills were read a first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill to provide for the divorce of Maria Harp from her husband Nathan Harp, and for other purposes.

A bill for the benefit of Overton county; and

A bill to provide for the appointment of a county surveyor for Monroe county,

Were severally read a third time and last time, passed and ordered to be engrossed.

A message from the Senate by Mr. Hill their clerk.

Mr. Speaker,

The Senate concur in your resolutions appointing Justices of the Peace for Grainger, Cocke, Sevier, Giles, Marion and Stewart counties, except as to the appointment of John Dennis as a Justice of the Peace for Grainger county,

The Speaker of the Senate did this day sign an enrolled bill of the following title, to wit:

An act to repeal an act entitled an act to explain and amend an act entitled an act to regulate certain proceedings on executions, and for other purposes: passed November 27, 1829.

And then he withdrew.

When the Speaker signed the said act.

Ordered, That the clerk deposite the same in the office of the Secretary of State.

The House took up

A bill to designate the line between Rhea and McMinn counties,

Mr. Vernon offered an amendment in lieu of the whole of said bill, providing that the line dividing the southeast corner of Rhea, and northwest corner of McMinn counties, should be established as follows: beginning at the mouth of Rogers' creek, at its junction with the Hiwassee river, and running thence a direct course so as to strike the northwest corner of McMinn county, near Casey's mill, on Sevey creek. And that one commissioner should be appointed by the respective county courts of each county, to run and mark the line on the route designated, who should be paid for their services equally by the two counties.

And the question being taken on agreeing thereto, it was determined in the affirmative.

YEAS 29

NAYS 7

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Allen, Boddie, Carriger, Cheatham, Clai-

borne, Dew, Dickinson, Dobbins, Dunlap, Easley, Gordon, Gowen, James Gray, George Gray, Hatley, Holland, Inge, McFarland, McGaughey, Parris, Roberson, A. E. Smith, Stephenson, Turney, Vernon, Watkins, Wright and Young.

Those who voted in the negative are,

Mr. Hardin, Hurst, Kincaid, Maury, Nevins, Rogers and Joel R. Smith.

Whereupon the said bill was read a second time and rejected.

Mr. Stockton introduced

A bill to reduce and fix the salary of the Governor, Judges of the Supreme, Chancery and Circuit Courts, Secretary of State and Attorneys General.

Which bill was read a first time and rejected.

A bill for the relief of sheriffs and others who have heretofore conveyed convicts to the penitentiary.

A bill for the benefit of Eunice Cummings.

A bill for the benefit of Joseph Vincent.

A bill to authorise William Simpson to establish a toll bridge and turnpike road across Hatchie river.

A bill to authorise the register to issue a certain grant.

A bill to repeal all laws incorporating the town of Athens.

A bill to change the time of holding regimental musters in the 116th regiment.

A bill to authorise the sheriff of Jackson and other counties to appoint three deputies.

A bill to authorise Thomas Tipton and Zechariah Clarke, of Blount county, to open a turnpike road.

A bill to incorporate the City Hotel Company in Nashville; and

A bill to extend the limits of the corporation of the town of Knoxville,

Were severally read a third time and passed.

Ordered, That the clerk acquaint the Senate therewith.

A bill to explain the first section of the 35th chapter of the acts of 1827, allowing commissions to constables; and

A bill authorising George W. Wood to open a turnpike road,

Were severally read a second time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill for the relief of the citizens of Morgan and other counties,

Was read a third time:

And on the question, Shall the bill pass? it was determined in the negative

YEAS 16

NAYS 23

Y2 House.

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Carriger, Dunlap, Gillespy, George Gray, Hatley, Hardin, Holland, Hurst, Kincaid, Parris, A. E. Smith, Joel B. Smith, Stockton, Turney, Vernon and Wright.

Those who voted in the negative are,

Mr. Speaker Huling, Allen, Boddie, Brown, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Easley, Gordon, Gowen, James Gray, Inge, Maury, McFarland, McGaughey, Nevins, Roberson, Rogers, Stephenson, Watkins and Young.

And so the said bill was rejected.

And then the House adjourned.

SATURDAY, DECEMBER 10th, 1831.

Mr. Nevins presented a petition of sundry citizens of Overton county, praying that Gamblin Weeks may be released from a prosecution for gaming, pending against him in the circuit court of Overton county.

Ordered, that said petition be referred to the committee on propositions and grievances.

Mr. McGaughey, from the committee of propositions and grievances, made a report upon the petition of Gamblin Weeks, John Brabson, and of sundry citizens of Hickman county, for a lottery.

And the resolution therein contained was concurred in by the House as follows, to wit:

Resolved that the prayer of the petitioners ought not to be granted.

Mr. Carriger, from the committee for enrolled bills, reported,

An act to provide for the divorce of Maria Harp from her husband Nathaniel Harp, and for other purposes.

An act to provide for the appointment of a county surveyor for the county of Monroe; and

An act for the benefit of Overton county; and

A resolution appointing Justices of the Peace for the counties of Cocke, Sevier, Giles, Marion, Stewart and Grainger, truly enrolled.

The Speaker signed the said acts and resolution.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Kincaid from the committee on Banks made a detailed report accompanied by a bill to close the different agencies and wind up the concerns of the bank of the State.

Which bill was read a first time and passed.

Ordered that the clerk acquaint the Senate therewith.

The said report was read at the Clerk's table and is as follows, to wit:

The committee on banks, to whom was referred that part of the Governor's message, which recommends, that the concerns of the bank of the State of Tennessee be wound up and the institution closed, have had the subject under consideration, and beg leave to report,

That, from the facts developed by the joint sub-committee of both houses of the present General Assembly, appointed to examine into the state of the funds of the principal bank it appears, that of the debts owing to the principal bank, there will inevitably be considerable loss sustained. There is \$226,476 96 of debts owing to the bank—which sum includes \$47,284 87, the amount for which Joel Parrish, late Cashier is in default—and also the further sum of \$18,913 02 of suspended debts, over-checkers or legal balances, which together, will make \$66,197 89—and of the above amount of debts owing to the principal bank, as consisting in notes and judgments, there is the further sum of \$7,252 50 reported by the committee to be bad, which added to the \$66,197 89 makes the sum of \$73,450 39, which deducted from the above amount of debts owing to the bank, leaves the sum of \$153,026 59 of good debts due at the Principal Bank. There is real estate owned by the bank, including the Banking house, amounting to \$58,597 25, the most of which has been received in payment of debts due the bank, which were considered bad. On the above amount of real estate, your committee believe there will be a loss of 25 per cent making the sum of \$14,649 31 loss sustained on said property—leaving a balance which will be realised of \$13,949 94, which, added to the above amount of good debts, makes the sum of \$196,974 53—add the supposed amount of loss on real estate to the above amount of bad debts which makes the sum of \$88,099 70—which is the probable loss that will be sustained upon the amount of debts owing at the Principal Bank and the real estate owned by said Bank.

Of the amount of bills receivable, or the amount of debts owing at Agencies in West Tennessee, being altogether the sum of \$255,440 99, which Agents are charged with at the principal Bank. It will be seen by reference to the report made by General Smith of the examination into the condition of the Agencies, that, of the above sum, there was but \$210,951 94 under discount in the several counties, at the time of such examination—which, deducted from the above sum, would leave a balance in the hands of agents, not loaned out at the time of said examination, of \$12,486 05. This might probably have arisen from the circumstance of the examination being made, in some instances, shortly after a re-

newal of the notes. The ten per cent call being still in the agents' hands and not reloaned at the time—and in some instances, it may be, that the agent may not have loaned the amount at all.

Your committee believe that it may be anticipated, that it will hereafter be found, that agents are in default for a considerable portion of the last mentioned sum and probably, the greater part of which may be lost. Of the whole amount of debts owing at agencies there is \$224,347 79 reported by General Smith to be good, 14,065 dollars doubtful and 2,542 dollars and 15 cents bad. Your committee think that an amount equal to the whole of these two latter items, say 16,607 dollars and 15 cents, will be lost at the agencies. Some of those debts now believed to be good will finally be lost—and of those that are classed as doubtful, not more will be collected than will cover the losses on those reported to be good. This latter amount of 16,607 dollars and fifteen cents added to the balance unaccounted for, in the hands of agents, at the time of the examination above alluded to, will make the sum of 29,093 dollars and 20 cents which will be lost of the amount of money with which acting agents are chargeable. Your committee would here remark that there is a further sum of 14,090 dollars and 87 cents to which former agents are chargeable on the books of the bank, which sum, added to the amount chargeable to acting or present agents, makes the sum total of 267,531 dollars and 86 cents. This latter sum chargeable to former agents, has not been accounted for by them to their successors or present acting agents, a part of which amount consists in judgments having been taken against debtors, many of whom are perhaps insolvent, and a part of said amount for money unaccounted for to the present agents. Of the whole sum, probably not more than one third will be collected leaving a loss of 9,394 dollars and 91 cents, which added to the 29,093 dollars and 20 cents, will make 38,488 dollars and 11 cents, which, deducted from the whole amount of which former and acting agents are chargeable on the books of the bank, will leave 229,043 dollars and 74 cents of good debts owing at the agencies in West Tennessee. The amount of 38,488 dollars and 11 cents of bad debts of the agencies added to the 88,099 dollars and 70 cents of bad debts at the principal bank, makes the sum of 126,588 dollars and one cent of losses in the debts at the Bank and Agencies in West Tennessee.

It would seem from the above view of the case, that the whole amount of debts owing at the principal bank and the agencies in West Tennessee, including real estate, is 652,606 dollars and 7 cents of which the sum of 126,587 dollars and 81 cents is bad, which, deducted from the above, leaves a balance of good debts including real estate of four hundred and twenty six thousand and eighteen dollars, and six cents.

The following is a recapitulation of the foregoing statement, to wit:

Amount of debts due at the principal bank, - - -	\$226,476 96
Amount due at agencies	267,531 86
Real estate, - - -	58,597 25—\$552,606 07

From the above deduct the following amount of bad debts at the principal bank and agencies, to wit:

Joel Parrish, late cashier,	\$47,284 87
Balance of over-checking, — -	18,913 02
Loss on notes and judgments,	7,252 50
do on real estate, - - -	14,649 31
Balance against former delinquent Agents, - - -	6,394 91
Balance in the hands of acting agents unaccounted for,	12,486 05
Loss on debts at agencies, - -	16,607 15—126 587 81

Leaving a balance of, - - - \$426,018 26

The amount of capital received at the principal Bank, arising from land sale and land entry in Hiwassee district is 392,908 dollars and 59 cents—and from the 12 1-2 cents land sale, north and last of the congressional reservation line, the sum of 78,924 dollars and 67 cents, making in all the sum of 471,833 dollars and 26 cents.

The above is the amount of capital in the principal Bank of the State of Tennessee, for which it is indebted to the State,

Say Capital, - - -	\$471,833 26
To pay which the bank has in good debts,	426,018 07

Leaving a balance against the bank of, \$45,815 19

The State is indebted to the bank for money to build a Penitentiary, - - - 53,657 67

Leaving a balance in favor of the bank of, \$7,842 48

The sum of 207,546 dollars and 79 cents of interest has been received at the principal bank and agencies, from which deduct the amount of expenses of the principal bank and agencies 84,179 dollars and 90 cents, leaving the sum of 123,366 dollars and 89 cents.

It stands thus,	
Interest received by principal Bank	\$207,546 79
From which deduct expenses, - -	84,179 90

Leaving a balance due by the bank to the State of \$123,366 89

To pay which it has in bad debts the sum of 126,587 81

By which it would seem that the losses of the principal Bank and agencies have been nearly equal to the whole amount of interest received since the Bank went into operation, after deducting the expenses thereof.

Your committee procured a statement from the bank (herewith submitted marked A.) shewing the respective amounts of money which has been in the hands of agents each year since the bank went into operation up to the meeting of the present legislature, exhibiting the amount of interest which said several sums would have yielded annually at six per cent—and the amount which was actually received by the Bank. From which it appears that there is a deficiency in the amount received at Bank, of 10,392 dollars and 4 cents, a part of which deficiency arises from the interest on judgments that have been taken against persons who were perhaps insolvent, consequently the interest was not accounted for by the agent—and a part of which may have been paid over by some of the agents to common School commissioners. Though your committee think it probable that a considerable portion of it is still in the hands of agents, or has been otherwise applied by them.

From an examination of the report of the Treasurer of East Tennessee to this Legislature, and also of the Cashier of the branch bank at Knoxville, it appears that the sum of 624,796 dollars and 5 cents has been received from the sales of and entries on land in the Hiwassee district; to this add 120,768 dollars and 46 cents, the amount of money received upon entries of the land north and east of the reservation line in East and West Tennessee, which makes the sum of 745,676 dollars and 2½ cents, being the nett amount of money received and in the hands of the principal bank and branch, to pay which the bank and branch have—at principal bank, in good debts 126,018 dollars and 7 cents to which add 227,918 dollars and 86 cents of debts due at the branch bank together with the amount of interest, after deducting amount of expenses, making in all 653,936 dollars and 93 cents, to which add 63,994 dollars and 20 cents, the amount left in the principal and branch bank, after paying all demands against them, (as per report of examining committee) making together the sum of 717,931 dollars and 13 cents, deducting which from the above capital of 745,676 dollars and 2½ cents, received by the bank, will leave the sum of 27,745 dollars and 11 cents against the bank. But take this sum from the 53,657 dollars and 67 cents, which the State owes the bank on account of money advanced for building Penitentiary, will leave the sum of 25,912, dollars and 56 cents in favor of the Bank.

Recapitulation as follows:

Amount of money received by the Bank, - \$745,676 24

To pay which the Bank has in		
good debts at Principal Bank,	\$426,018	07
At branch bank in notes and interest	227,918	86
In the hands of Branch Bank after		
yaying all its liabilities,	63,994	20
	717,931	13
		\$27,745 11
Amount paid by bank to build penitentiary,		53,657 67
Leaving a balance in favor of Bank of		\$25,912 56
To which add this sum paid board of internal im-		
provement,		503 50
		\$26,416 06

It will be recollected that the foregoing estimate has been made without making any deductions for the losses that may arise or have arisen upon debts owing at the Branch Bank and Agencies in East Tennessee. However well the branch and its agencies may have been managed, it is to be expected that considerable losses must have occurred in the course of its operations in ten years.

Note.—It is proper here to remark, that there has been sundry sums of money paid out by the Branch Bank, by order of the Legislature at various times, to wit: as for lands lost by reservations in the Hiwassee District, and to agents to attend to suits—*Reservees vs. the State &c. &c.*—which may have, severally, amounted to 15 or 20 thousand dollars. The amount so paid out, whatever it be, will increase the balance in favor of the Bank, to an amount equal to the sum thus paid. The Cashier of the Branch Bank, in his reports to the Principal Bank, has said nothing about the sums of money which have been paid as aforesaid.

Upon reference to the act of the General Assembly of the State of Tennessee, entitled "an act appropriating a fund for the support of Common Schools in the State of Tennessee, passed the 12th day of December, 1827, it will be seen that, by the provisions of said act, one half of all the money which had then been received from the sales of land in the Hiwassee district, and all money then due, or which would thereafter fall due, for lands sold in the Hiwassee District, and the future proceeds of all lands then belonging to the State, including the amount which had then arisen or that would thereafter arise from the entry of land at 12 1-2 cents and one cent, north and east of the Congressional Reservation Line, &c. was set apart as a school fund for the support of common schools.

The amount of money which had then been received from the sales of Hiwassee land, by reference to the report of the cashier

of the Branch Bank at Knoxville, dated 15th Dec. 1827, will be found to be \$516,630 44, one half of which was set apart as a school fund, being \$258,315 22. The amount of money which has been received since that period, by reference to the report of the Cashier of the Branch made to the principal bank, dated third instant, shewing the amount which he had received from the Treasurer up to that date is \$108,165 61, which, added to the one half previously received, makes the sum of \$366,480 83. The sum of 120,847 dollars and 75 cents has been received from land entries north and east of the aforesaid line, which, added to the foregoing amount, makes 487,328 dollars and 58 cents, which sum constitutes the common school fund of the State at this time.

Recapitulation.

One half of the money received from sale of Hiwassee land up to 12th Dec. 1827 is,	\$258,315 22
Amount received since 12th December 1827 from same source,	108,165 61
Amount received from the 12½ and one cent land, north and east of the congressional line, up to this date,	120,847 75

Making altogether the sum of \$487,328 58 being the whole amount of common school fund at the present time.

Note.—There is still owing from the purchasers of land in the Hiwassee District, as by report of the Treasurer of East Tennessee, the sum of \$72,569 26—though there is land in dispute in the said district, to the value of \$28,558 66 of the aforesaid amount. The debts are suspended to this latter amount—which deducted from the whole amount due, will leave \$44,010 60.—This sum added to the above amount of school fund already received, as aforesaid, will make the further sum of \$531,339 18, besides which, there is the sum of \$20,000 00 the amount of stock which the State owned in the old State Bank, at Knoxville, and the interest that has arisen thereon, which will then constitute the school fund.

It will be seen by reference to the above recited act, that one half of the amount of money which had then arisen, say 258,315 dollars and 22 cents, was reserved to the State for such purposes as the Legislature in its wisdom, might in future think proper to apply it to. An appropriation has been made by an act passed at the present session, of one hundred and fifty thousand dollars for the purpoh of internal improvement, which deducted from the above sum will leave 108,315 dollars and 22 cents, subject to future disposition. Say

One half the money received from Hiwassee land

sales up to 12th December 1827 is,	\$258,345 22
From which deduct amount applied to internal improvement,	150,000 00
Leaving a balance of	\$108,345 22

Upon an examination of a report made by General Smith with regard to the agencies and entry takers, your Committee find that the Agents of West Tennessee are chargeable to the Entry-Takers the sum of 10,944 dollars and 9 cents, which amount has been received by said agents from entry-takers, and they have not accounted for the same to the principal bank—and consequently are not charged therewith on the books of the bank. Your committee have been advised by the officers of the bank that in some cases the agents have loaned the respective amounts which they had received in the counties, with the bank funds; but few instances of this kind have occurred.

Your committee think it probable that the greater part of the whole amount, or not less perhaps than 8000 dollars of the amount will be lost. From the aforesaid report it further appears that, former entry-takers are delinquent, to the amount of 9,750 dollars and 22 cents, which sum they have received and not accounted for at bank. The whole of this last sum will probably be lost. Said report further shews that the former collectors of taxes of the 12 1-2 and one cent land, are delinquent for the sum of \$2,349 38, these several amounts together makes 20,099 60, which is a loss sustained to the school fund by the delinquency of entry-takers, agents and tax-collecting officers; which, added to the foregoing amount of 38,488 11, (supposed to be lost by former and acting agents and losses on debts due in the several counties with which agents are chargeable on the books of the bank) will make the sum of 58,587 71 which is lost at the various agencies and entry-takers offices in West Tennessee.

From the foregoing view of the situation of the funds of the State, your committee would recommend that the institution be wound up and its concerns closed, for which purpose they herewith beg leave further to report a bill. Before dismissing the subject, your committee think it due the present officers of the bank to state that the concerns of the institution, for the last two years have been managed with ability.

The duties which have been performed by the present Cashier and clerk, have been arduous. From the state of confusion and disorder in which the books and accounts of the bank were found when they came into their hands, by their assiduous attention, a state of regularity and order have resulted.

On motion of Mr. Dew,

BB House.

Ordered, That 3000 copies of said report be printed for the use of this House.

Mr. Dunlap, from the committee of Internal Improvement, reported,

A bill to authorise the State of Tennessee to subscribe stock in all rail road and McAdamized turnpike road companies, chartered by this State, and to vest the common school funds in road stock.

Which bill was read a first time.

And on the question, Shall the bill pass? it was determined in the negative.

YEAS 18

NAYS 21

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Boddie, Brown, Carriger, Dobbins, Dunlap, Easley, Gillespie, Gordon, Gowen, Geo. Gray, Hurst, Inge, McFarland, McLean, Rogers, Alexander E. Smith and Vernon.

Those who voted in the negative are,

Messrs. Allen, Cheatham, Claiborne, Dew, Dickinson, James Gray, Hatley, Hardin, Holland, Maury, McGaughey, Nevins, Parris, Roberson, Joel R. Smith, Stephenson, Stockton Turney, Watkins, Wright and Young.

And so the said bill was rejected.

Mr. Dew from the select committee to whom was referred the Governor's Message in relation to the public arms of the State of Tennessee, reported

A bill to repeal the 12th section of the 69th chapter of the acts of 1825.

Which bill was read a first time and passed,

Ordered, that the clerk acquaint the Senate therewith.

Mr Nevins from the committee on captains companies and justices of the peace, reported

A resolution appointing a justice of the peace for Grainger county.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and ask their concurrence therein.

A message from the Senate, by Mr. Hill their clerk,

Mr. Speaker—

The Senate concur in your resolution appointing a joint select committee to ascertain the number of acts and journals of the present session to be distributed among the different counties.

They have adopted a resolution appointing William Sharp a Justice of the Peace for Grainger county, in which they ask your concurrence.

And then he withdrew.

And the question being taken on agreeing in the resolution contained in said message,

It was determined in the negative.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Stephenson, by leave of the House, presented a petition of John Tucker and Abram Tucker.

Ordered, that said petition be referred to the committee on land claims.

Mr. George Gray introduced

A bill to change the names of, and make legitimate, the person therein named, and

Mr. Boddie introduced,

A bill authorizing the establishment of fire companies.

Which bills were read a first time and passed.

Ordered, that the clerk acquaint the Senate therewith.

The house took up,

A bill to amend the 65th section of an act to reform and amend the penal laws of the State of Tennessee.

Mr. Allen offered an amendment in lieu of the whole of said bill—which was agreed to by the house.

Whereupon,

The said bill was read a second time,

And the question being taken shall the bill pass? it was determined in the affirmative.

YEAS 30

NAYS 8

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Allen, Boddie, Brown, Carriger, Cheatham, Claiborne, Dew, Dickinson, Dunlap, Gillespy, Gowen, Hardin, Hurst, Inge, Maury, McFarland, McGaughey, Nevins, Parris, Roberson, Rogers, A. E. Smith, J. R. Smith, Stephenson, Stockton, Turney, Vernon Watkins, and Young.

Those who voted in the negative are,

Mr. Dobbins, Easley, Jas. Gray, George Gray, Hatley, Holland, Kincaid and Wright.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Rogers introduced

A bill to abolish the chancery courts of this State.

Which bill was read a first time,

And on the question, Shall the bill pass?

It was determined in the affirmative.

YEAS 30

NAYS 10

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Boddie, Brown, Carriger, Cheatham, Dew, Dickinson, Easley, Gillespie, Gowen, James Gray, George Gray, Hatley, Hardin, Hurst, Inge, Kincaid, McFarland, Nevins, Parris, Roberson, Rogers, A. E. Smith, Joel R. Smith, Stephenson, Stockton, Turney, Vernon, Watkins and Wright.

Those who voted in the negative are,

Mr. Speaker Huling, Allen, Claiborne, Dobbins, Dunlap, Holand, Maury, McGaughey, McLean and Young

Ordered, That the clerk acquaint the Senate therewith.

On motion of Mr. Dunlap,

Ordered, That the committee of internal improvements be discharged from the further consideration of the petitions of William Reynolds and others, and of John J. Howell and others.

On motion of Mr. Cheatham,

Ordered, That Mr. Boddie be added to the joint select committee to ascertain the expenses of the present session of the General Assembly.

Mr. Dobbins introduced

A bill for the relief of the heirs of William W. Gant,

Mr. Inge introduced

A bill to furnish Maj. Charles Abel's volunteer company of cavalry, of Lincoln county.

Mr. Gowen introduced

A bill for the relief of Matthew McClanahan.

Mr. Hardin introduced

A bill for the relief of the good citizens of this State.

Mr. Kincaid introduced

A bill appointing commissioners to run and mark the line between the counties of Maury and Bedford.

Mr. Brown introduced

A bill creating a board of internal improvement for Giles and other counties, and

Mr. Dobbins introduced

A bill to divorce Ann Ball from her husband William Ball; and

A bill for the benefit of Susan R. Pistol.

Which bills were read the first time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill for the benefit of Amstead Parrott and others, was read a second time and rejected.

A bill to reduce the fees of clerks in certain cases.

A bill to amend the several laws incorporating the town of Nashville.

A bill to amend the laws now in force regulating appeals in equity.

A bill to authorise the county court of Giles to permit Elijah Anthony to build a mill—and

A bill for the benefit of the former sheriff of Marion county,
Were severally read a third time and passed.

Ordered, that the clerk acquaint the Senate therewith.

The house took up a bill to explain the first section of the 35th chapter of the acts of 1827, allowing commissions to constables.

Mr. Inge offered an amendment to the said bill.

Mr. Turney offered an amendment to the amendment proposed by Mr. Inge.

Mr. Young made a motion to postpone the said bill and amendment indefinitely.

And the question being taken thereon, it was determined in the affirmative.

YEAS 22

NAYS 16

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative, are

Mr. Allen, Brown, Carriger, Cheatham, Dickinson, Gowen, James Gray, Hatley, Hardin, Hurst, Maury, McFarland, McGaughey, McLean, Nevins, Roberson, A. E. Smith, Stephenson, Vernon, Watkins, Wright and Young.

Those who voted in the negative are,

Messrs. Speaker Huling, Boddie, Claiborne, Dew, Dobbins, Dunlap, Easley, Gillespie, Gordon, Geo. Gray, Inge, Parris, Rogers, J. R. Smith, Stockton and Turney.

And so the said bill was rejected.

A bill to encourage the manufacture of iron, and

A bill directory to the register of the Western district,

Were read a third time and last time passed, and ordered to be engrossed.

Mr. Dickinson introduced a resolution to authorize the appointment of a surveyor or commissioner to run and mark the southern boundary line of this state.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, that the clerk acquaint the Senate therewith, and ask their concurrence therein.

The house took up on a third and last reading in both houses, a bill to compensate Samuel G. Smith for services performed, and money expended in the service of the State.

Mr. Easley made a motion to amend the said bill by striking out the words "one thousand dollars" and inserting in lieu thereof the words "seven hundred dollars."

And the question being taken thereon, it was determined in the affirmative.

Ordered, that the clerk acquaint the Senate therewith, and ask their concurrence therein.

The House took up

Bb2 House.

A bill for the benefit of Samuel Ingram.

Mr. Dunlap made a motion to strike out the 2d and 3d sections of said bill,

And the question being taken thereon, it was determined in the negative.

YEAS 13

NAYS 24

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Carriger, Claiborne, Dunlap, Gordon, Hatley, Hardin, Holland, Maury, McLean, Stephenson, Stockton, Wright and Young.

Those who voted in the negative are,

Mr. Speaker Huling, Allen, Boddie, Brown, Cheatham, Dew, Dickinson, Easley, Gowen, James Gray, Geo. Gray, Hurst, Inge, McFarland, McGaughey, Nevins, Parris, Roberson, Rogers, A. E. Smith, Joel R. Smith, Tuney, Vernon, and Watkins.

Whereupon,

The said bill was read a third time,

And on the question, Shall the bill pass? it was determined in the negative.

YEAS 11

NAYS 27

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Brown, Dew, Dunlap, Easley, Geo. Gray, Hatley Hurst, Kincaid, Nevins, Joel R. Smith, and Stockton.

Those who voted in the negative are,

Mr. Speaker Huling, Allen, Boddie, Carriger, Cheatham, Claiborne, Dickinson, Gordon, Gowen, James Gray, Hardin, Holland, Inge, Maury, McFarland, McGaughey, McLean, Parris, Roberson, Rogers, A. E. Smith, Stephenson, Turrey Vernon, Watkins, Wright and Young.

And so the said bill was rejected.

A message from the Senate by Mr. Hill their clerk.

Mr. Speaker—

The Senate nonconcur in the amendment proposed by the house of Representatives to a bill to compensate Samuel G. Smith for services performed, and money expended in the service of the State.

The Speaker of the Senate did this day sign an enrolled bill of the following title, to wit:

An act providing for the entry of the forfeited lands in the Hiwassee District,

And then he withdrew.

The Speaker signed the said act.

Ordered, That the Clerk deposite the same in the office of the Secretary of State.

Mr. McLean introduced

A resolution respecting fractional warrants.

Ordered, that the said resolution lie on the table.

Mr. Allen made a motion to reconsider the vote by which a bill for the benefit of Morgan and other counties, was rejected.

And the question being taken thereon, it was determined in the affirmative.

And so the said bill was reconsidered.

A bill to dispose of the public property in the town of Montgomery in Morgan county,

Was read a third time, amended on motion of Mr Dickinson and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill for the relief of Mary Guest,

Was read a second time and passed.

Ordered, that the clerk acquaint the Senate therewith.

Mr McLean from the joint select committee to count and ascertain the votes given at the late election for a convention, made a report, which was

Ordered, to lie on the table.

The house took up a bill to amend the judiciary system.

Mr. Kincaid made a motion to strike out the word "two" as the number of additional judges to these now constituting the court.

And the question being taken thereon, it was determined in the affirmative.

YEAS 35

NAYS 5

The yeas and nays being desired by the constitutional number of members.

Those who voted in the affirmative are,

Mr. Speaker Huling, Brown, Carriger, Claiborne, Dickinson, Dobbins, Dunlap, Easley, Gillespie, Gordon, Gowen, Jas. Gray, Geo. Gray, Hatly, Hardin, Holland, Hurst, Inge, Kincaid, Maury, McFarland, McGaughey, McLean, Nevins, Parris, Roberson, Rogers, A. E. Smith, Joel R. Smith, Stephenson, Stockton, Turney, Vernon, Wright and Young.

Those who voted in the negative are,

Mr. Allen, Boddie, Cheatham, Dew, and Watkins.

Whereupon,

Mr. Kincaid made a motion to fill the blank with the word "one."

And the question being taken thereon, it was determined in the affirmative.

YEAS 22.

NAYS 18.

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Speaker Huling, Allen, Boddie, Brown, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Dunlap, Gillespie, Gordon, Gowen, James Gray, Hatley, Inge, Kincaid, Maury, McLean, Turney, Watkins and Wright.

Those who voted in the negative are,

Messrs. Carriger, Easley, Geo. Gray, Hardin, Holland, Hurst, McFarland McGaughey, Nevins, Parris, Roberson, Rogers, A. E. Smith, Joel R. Smith, Stephenson, Stockton, Vernon and Young.

Whereupon,

The said bill was read a third time—

And on the question Shall the bill pass? it was determined in the affirmative.

YEAS 22

NAYS 18

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs Speaker Huling, Allen, Boddie, Brown, Cheatham, Claiborne, Dew Dickinson, Dobbins, Dunlap, Gillespy, Gordon, Gowen, James Gray, Hatley, Inge, Kincaid, Maury, McLean, Turney, Watkins and Wright.

Those who voted in the negative are,

Mr. Carriger, Easley, George Gray, Hardin, Holland, Hurst McFarland, McGaughey, Nevins, Parris, Roberson, Rogers, A. E. Smith, Joel R. Smith, Stephenson, Stockton, Vernon and Young.

Ordered, That the clerk acquaint the Senate therewith.

A bill to amend an act entitled an act to authorise a lottery for the benefit of the covington academy.

Was read a second time.

And on the question Shall the bill pass? it was determined in the negative.

YEAS 20.

NAYS 20.

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are

Mr Brown, Carriger, Claiborne, Dew, Dunlap, Easly, Gillespie, Gordon, Geo. Gray, Hatly, Hurst, Inge, Kincaid, Maury, McLean, Nevins, Parris, J. R. Smith, Stephenson and Vernon.

Those who voted in the negative are

Mr. Speaker Huling, Allen, Boddie, Cheatham, Dickinson, Dobbins, Gown, James Gray, Hardin, Holland, McFarland, McGaughey, Roberson, Rogers, A. E. Smith, Stephenson, Turney, Watkins, Wright and Young.

And so the said bill was rejected.

Mr. James Gray introduced

A bill to compensate James Bright for services rendered the State.

Mr. Stephenson introduced

A bill for the benefit of the persons therein named, and

A bill for the benefit of the citizens of Jonesboro' and

Mr. ————— introduced a bill referring and authorizing the adjudication and entry of certain land claims.

Ordered, that said bill lie on the table.

And then the House adjourned.

MONDAY, DECEMBER 12, 1831.

Mr. Carriger from the committee for enrolled bills, reported an act to encourage the manufacture of iron, and

An act to extend the provisions of an act passed in 1823, chapter 7.

The Speaker signed the said acts.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Nevins from the committee on captains companies and justices of the peace reported

A resolution appointing justices of the peace for Blount county.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, that the Clerk acquaint the senate therewith, and ask their concurrence therein.

Mr. Wright introduced

A resolution providing that the two houses meet at 11 o'clock on this day for the purpose of going into the election of a Surveyor for Monroe county.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Turney introduced

A resolution directory to the joint select committee appointed to count and ascertain the number of votes given for and against a convention at the late general election.

Ordered, that said resolution lie on the table.

A bill to indemnify such counties as are deprived of a part of their revenue by the act of the 4th of August 1822, and the compact entered into under its provisions,

Was read a third time.

And on the question Shall the bill pass? it was determined in the negative.

YEAS 17

YEAS 22

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Carriger, Cheatham, Dew, Dunlap, Easley, Gillespy, Gordon, James Gray, Hatly, Hardin, Holland, McLean, Parris, Rogers, Joel R. Smith and Stockton.

Those who voted in the negative are,

Mr. Allen, Boddie, Brown, Claiborne, Dickinson, Dobbins, Gowen, George Gray, Hurst, Inge, Maury McFarland, McGaughey, Nevins, Roberson, Alex. E. Smith, Stephenson, Turney, Vernon, Watkins, Wright and Young.

And so the said bill was rejected.

A message from the Senate by Mr. Hill their clerk.

Mr. Speaker—

The Senate concur in your resolution appointing justices of the peace for Blount county, and in your resolution to go into the election of a surveyor for Monroe county on this day at 11 o'clock.

The Speaker of the Senate did this day sign enrolled bills of the following titles, to wit:

An act for the relief of Cullen and Willie Bayless, and for other purposes. An act to improve the navigation of Obeds river in Overton and Fentress counties, and for other purposes. An act for the relief of the Covington sentinels. An act to amend an act entitled an act to authorise Allen McDonald to open a turnpike road. An act giving the purchasers and enterers of land in the Hiwassee district further time to obtain their grants. An act to prevent the violation of graves and the disturbance of the bodies of the dead. An act authorising executors to sell real estate in certain cases. An act for the relief of John R. Charter.

An act to release Hale's turnpike from the payment of a State tax. An act requiring the entry taker of Bedford county to record certain entries. An act for the benefit of Joseph Dancy. An act for the benefit of Fiel Farrow, and an act for the benefit of Edmund Bean; and

A resolution appointing Justices of the Peace for the county of Washington.

And then he withdrew.

The speaker signed the said acts and resolution,

Ordered, That the Clerk deposit the same in the office of the Secretary of State.

A bill for the benefit of Mary Guest.

A bill for the benefit of Custis O'Neal.

A bill for the benefit of Robert Jetton and John Elliott; and

A bill prescribing certain duties to the clerks of the several courts in this State,

Were severally read a third time and last time, passed and ordered to be engrossed.

A bill for the benefit of Absalom and David Collom, and others; and

A bill to authorise the register of the Hiwassee District to issue grants in certain cases,

Were read a third time and rejected.

The two Houses assembled in the hall of this House for the purpose of going into the several elections set apart for this day; and

On collecting and counting out the ballots on the several ballots for the election of the different officers, it appeared that the following persons were duly elected to fill the following offices, to wit:

Willam A. Cooke, chancellor for the western division of this State.

Roger Barton, attorney general for the 15th Solicitorial district.

Solomon D. Jacobs, William E. Cocke and David A. Deaderick, commissioners of the board of internal improvement for East Tennessee.

William T. Ross, entry-taker for Lincoln county.

William B. Sutton, entry-taker for Bedford county.

Stephen C. Pallat, entry-taker for Humphreys county.

Joshua H. Chapman, entry-taker for Claiborne county.

Isaac Little, surveyor for Humphreys county.

Nicholas S. Peck, surveyor for Monroe county.

Thomas Anderson, surveyor for Sumner county.

Stephen Hicks, surveyor for Marion county; and

John F. Fowler, surveyor for Cocke county.

Whereupon the Speaker and members of the Senate withdrew.

On motion of Mr. Inge,

The House took up

The preamble and resolutions submitted by him on the 23rd of September, approving of the course of the present administration of the General Government, and recommending General Andrew Jackson as a suitable person to fill the office of President of the United States, after the expiration of his present term.

Mr. Dunlap made a motion to amend the said preamble and res-

olutions by striking out the whole, and inserting in lieu thereof the following, to wit:

Whereas the action of all government is controlled more or less by public sentiment, and the frequent temperate expression of it being particularly salutary in a representative republic; and inasmuch as the members of this General Assembly believe it not inconsistent with their legislative duties to declare the estimation in which the present administration is held by their constituents, admitting themselves to act under the same responsibility for the fidelity of their representation upon this subject, that they acknowledge in the discharge of their ordinary duties; it is therefore resolved,

1st. That we highly approve the general spirit and policy of the present administration:—that many important public benefits have already resulted from the elevation of the present incumbent to the presidency, and that we look with confidence to the fulfilment of all the disinterested and patriotic expectations of his original supporters.

2nd. That at no period since the formation of the government, has any administration had greater obstacles to encounter than were presented in the outset of the present one, in the irritated and disappointed feelings of a multitude of politicians determined to oppose every leading measure of the administration, right or wrong; in the intrinsic difficulty of managing our Indian affairs, brought to a crisis by an actual or threatened collision between the General Government and the authorities and jurisdiction of several of the States; in the unsettled, and in some instances, the serious difference which existed between the United States and nearly every foreign power with which we have any considerable trade or intercourse, and in the great and increasing discontents growing out of the conflicting interests and policy of the manufacturing and the planting sections of the union.

3. That in the short space of two years we have seen most of those obstacles overcome in a manner highly satisfactory to the country. The admitted general prosperity, the flourishing state of the revenue, the rapid discharge and approaching extinction of the public debt, the increasing enterprise of our citizens, and the removal of the Indian tribes in progress upon a plan at once reconcileable with the feelings of humanity and the rights and just expectations of the States, gives the clearest proofs of the wisdom of the interior and domestic, while the success which has attended a series of negotiations with foreign powers, but especially the adjustment of the difficulties between this country and Great Britain and France; differences which in one case have been the subject of fruitless negotiation for twenty years past, under other administrations, and in both cases threatening serious

disturbances of the amicable relations existing between the respective countries, attest the uncommon ability with which our foreign affairs have been conducted.

4. That we regret the existence of that perverse spirit of party which can turn aside from a view of these splendid triumphs of talents and patriotism, and seek its gratification in the investigation of the causes which may have led to the dismissal of one set of cabinet officers and the appointment of new ones, or which can expect to see in the real causes of that event, or in those alleged by opponents, the only proper test of the merits of an administration.

5. That we decidedly approve the conciliatory, but just, safe and constitutional policy, recommended by the President in several of his messages to congress, in relation to the conflicting interests and feelings of the different sections of the Union.

6. That in the exercise of the constitutional power of the Veto in the case of the Maysville and Lexington turnpike road bill, the President, by voluntarily lopping off a dangerous and seductive branch of governmental patronage, has given a suitable answer to the charge of prostituting executive patronage to selfish & electioneering purposes; that in the same act he exhibited an honest boldness in the discharge of what he believed to be a bounden duty, which well becomes the chief magistrate of a great confederate republic, and applied also the best corrective in his power to the growing evils of excessive taxation and prodigal expenditure; and that, in the general doctrine of the veto message we recognize that compromising spirit, and those sound and conciliatory principles which led to the formation of the Union itself, and which constitute the best recommendation of an American statesman.

7. That the President has given the highest evidence of his devotion to the true principles of the Federal Constitution and to the Union, in the prompt and decided disapprobation which he has expressed of the new and dangerous doctrine that a state, either in convention or by a vote of its Legislature, is competent to repeal or nullify an act of Congress.

8. That while this General Assembly enter their protest against the modern doctrine of nullification, they cannot refuse to enter, also, their most solemn protest against the latitudinous doctrine, which leads to consolidation and a final destruction of the sovereignty of the States, which, in the opinion of this General Assembly, is equally dangerous to the permanency and happiness of the Union. Nor can this Legislature let this opportunity pass without expressing a regret which is felt in common with the great republican party, as to the shape and result of a mooted question which was raised before the Senate of the United States while Mr. Foot's resolutions were under debate. In

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that discussion there were presented, in the opinion of this Legislature, two modes for the dismemberment of the Union; one, by an assumed power of a State to check the operation of an act of the Federal Government; the other, by drawing the cords of federal power around the elements of the inherent sovereignty of the people, and the reserved rights of the States, until the States shall be strangled in this Herculean grasp for power.

9. That in the discussion of Mr. Foot's resolutions in the Senate of the United States, this Legislature regret that a question should have been mooted for the seeming purpose of settling the doctrines of 1798, as contended for by the rival federal and republican parties of that day—that while all must admit that under a sense of duty, the South raised those principles to aid them in shaking off an unequal and oppressive tariff, and that a zeal for their interest did induce our southern fellow citizens to press principles to unwarranted extremes and dangerous results; it is ardently hoped that their zeal will pass off as the effervescence of a moment of anticipated injuries—that reflection will invite Southern patriots to appeal to a more safe and legitimate tribunal—the good sense and magnanimity of the American people—that the constitutionality of the present tariff mooted in the Senate, invited the leaders of the old federalists to press their principles, aided by the erroneous assumptions of the South, to the dangerous and baleful extremes of judicial supremacy and constructive encroachment upon the old republican land-marks of the constitution—That it is believed and ardently desired by this General Assembly that time and reflection, the best umpire of conflicting interests and passions, will assume empire over the hearts and minds of our common countrymen, and determine between the heated denial of power made under a sense of injuries emanating from a source promising blessings, and the deliberate purpose of seeking power, right or wrong, in every watchful movement, which has marked the course of the old federalists, whether in or out of power.

10. That while our sister States, influenced by no personal kindness or State pride for men, have, in the purest disinterestedness and patriotism, rallied to the great republican standard as the final hope of national peace and prosperity, and that while they have chosen Andrew Jackson as the chief of their principles, we, as Tennesseans, would not only be recreant, to the best feelings which we have for our fellow citizens, but we would be insensible to the ultimate success of the great principles of the Union and final glory of our common country, not cheerfully and respectfully to add our feeble recommendations of his re-election.

11. That we are prepared to support the re-election of Andrew Jackson to the Presidency, not only because he is our favorite fellow citizen, but because it is our deliberate conviction that no

other man can so happily unite the public sentiment in his favor, and at the same time adjust with so true a hand, the balance between the contending interests of the North and of the South, or meet with equal firmness the emergencies which may arise from discontents at home or the threatened distractions of the nations of Europe.

12. That in the opinion of the members of this General Assembly, the freemen of this State will cheerfully support whatever candidate for the Vice Presidency shall appear most acceptable to the great body of the supporters of the present administration in the other States of the Union, and whose political principles shall accord with those of the great republican family.

When Mr. Boddie called for the previous question.

Whereupon the question was put, Will the house now have the main question?

And determined in the negative.

YEAS 11

NAYS 29

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Boddie, Dew, James Gray, McGaughey, Parris, Joel R. Smith, Stockton, Turney, Vernon, Watkins and Young.

Those who voted in the negative are,

Mr. Speaker Huling, Allen, Brown, Carriger, Cheatham, Claiborne, Dickinson, Dobbins, Dunlap, Easley, Gillespy, Gordon, Gowen, George Gray, Hatley, Hardin, Holland, Hurst, Inge, Kincaid, Maury, McFarland, McLean, Nevins, Roberson, Rogers, A. E. Smith, Stephenson and Wright.

Whereupon the question was taken upon agreeing to the amendment proposed by Mr. Dunlap,

And determined in the negative.

YEAS 8

NAYS 31

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Allen, Cheatham, Dickinson, Dunlap, Maury, McLean, Rogers and Joel R. Smith.

Those who voted in the negative are,

Mr. Speaker Huling, Boddie, Brown, Carriger, Claiborne, Dew, Dobbins, Easley, Gordon, Gowen, James, Gray, George Gray, Hatley, Hardin, Holland, Hurst, Inge, Kincaid, McFarland, McGaughey, Nevins, Parris, Roberson, A. E. Smith, Stephenson, Stockton, Turney, Vernon, Watkins, Wright and Young.

Whereupon the question was taken on agreeing to the preamble and resolutions submitted by Mr. Turner

And determined unanimously in the affirmative.

YEAS 40
NAYS ---

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr Speaker Huling, Allen, Boddie, Brown, Carriger, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Dunlap, Easley, Gillespy, Gordon, Gowen, James Gray, George Gray, Hatley, Hardin, Holland, Hurst, Inge, Kincaid, Maury, McFarland, M'Gaughey, McLean, Nevins, Parris, Roberson, Rogers, A. E. Smith, J. R. Smith, Stephenson, Stockton, Turney, Vernon, Watkins, Wright and Young.

Those who voted in the negative are, none.

Ordered, that the clerk acquaint the Senate therewith, and ask their concurrence therein.

The following bills from the Senate were read a first time and passed, to wit:

A bill to compel the president and directors of the branch bank at Knoxville, to refund certain money to the school commissioners of Roane county.

A bill to establish a comptroller's office.

A bill for the benefit of the Methodist Church in Perry county.

A bill to compensate John C. Haley and John Haley.

A bill to compensate Charles F. Keith for services as commissioner.

A bill to repeal part of the 55th section of an act to reform and amend the penal laws of the State of Tennessee.

A bill to authorise the county court of Greene to grant Robert C. Gordon the privilege of erecting a toll bridge across Lick Creek.

A bill to provide for the collection of the money for the academies from Elijah Embree and Walter Kennedy

A bill to repeal part of an act passed January 7th, 1830, chap. 76.

A bill authorising sheriffs and other collecting officers to make settlements in certain cases.

A bill more effectually to compel clerks to issue executions in proper time.

A bill for the benefit of Leonard Cardlin.

A bill prescribing the duties of sheriffs in certain cases, and for other purposes.

A bill to provide for the payment of the costs in the suit, the State against Charles McNally.

A bill to encourage the manufacture of salt; and

A bill to regulate the proceedings in chancery.

Ordered, that the Clerk acquaint the Senate therewith.

The following bills from the Senate were read a first time and rejected, to wit:

A bill to divorce Sarah Griffin and others.

A bill to amend the laws for the emancipation of slaves.

A bill for the relief of Jeremiah Frazier.

A bill for the benefit of Anthony Walker and others.

A bill for the relief of Juda B. F. Perrin.

A bill to authorise the clerks of county courts to enter up judgments on forfeited delivery bonds in certain cases; and

A bill prescribing the duties of circuit Judges in certain cases.

The following bill from the Senate, to wit:

A bill for the encouragement of domestic manufactures,

Was read a first time.

And on the question, shall the bill pass? it was determined in the negative.

YEAS 10

NAYS 28

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Carriger, Dobbins, Doolap, George Gray, Hatley, Hurst, Nevins, Parris, Joel R. Smith and Turney.

Those who voted in the negative are,

Mr. Speaker, Huling, Allen, Bodlie, Brown, Cheatham, Claiborne, Dew, Dickinson, Easley, Gillespie, Gordon, Gowen, Jas Gray, Holland, Inge, Marry, McFarland, McGaughey, McLean, Roberson, Rogers, A. E. Smith, Stephenson, Stockton, Vernon, Watkins, Wright and Young.

And so the said bill was rejected.

A message from the Senate by Mr. Hill their clerk.

Mr. Speaker—

I am directed to deliver to the House of Representatives certain communications from the President and Trustees of the Nashville University and East Tennessee College, which are herewith transmitted.

Ordered, That said communications lie on the table.

A bill to change the time of holding the supreme court at Jackson and other courts,

Was read a second time and passed,

Ordered, that the Clerk acquaint the Senate therewith.

The following bills from the Senate were read a first time and passed, to wit:

A bill to incorporate the Knoxville and southern rail road company.

A bill for the relief of John Rayburn.

A bill for the benefit of the executor and representatives of Robert Henry Dyer, deceased.

Do: House.

A bill for the relief of the commissioners appointed to superintend the erection of bridges across Doe river in Carter county.

A bill for the relief of Larkin H. Bowling.

A bill for the benefit of Mitchell and Banks.

A bill to make the bridge at Shelbyville toll free; and

A bill to compel the commissioners of the county seat of Monroe county to make settlement.

Ordered, that the Clerk acquaint the Senate therewith.

The following bills from the Senate were read a first time and rejected, to wit:

A bill to exempt nonslaveholders and nonlandholders from the payment of a free poll tax for state or county purposes.

A bill to regulate the manner of dividing the slaves of intestates and for other purposes.

A bill to revive and declare in force an act passed Dec. 8, 1826, for the building of an academy in Lexington.

A bill for the benefit of Patsy Falls.

A bill to authorize the circuit court of Grainger county to decree a title for a certain tract of land to James Shields jr.

A bill to authorise the county courts in the several counties to lay a tax to keep up a public road,

A bill for the benefit of Benjamin Davis of Henry county.

A bill to revive suits which now abate by the death of the parties—and

A bill to amend the certiorari laws.

Mr. Hatley made a motion to reconsider the vote by which a bill to revive and declare in force an act passed Dec. 8, 1826, for the building of an Academy in Lexington, was rejected.

And the question being taken thereon it was determined in the negative.

YEAS 16
NAYS 22

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Carriger, Claiborne, Dobbins, Dunlap, Easley, Gillespie, Gordon, George Gray, Hatley, Inge, McLean, Nevins, Rogers, Joel R. Smith, Stockton, and Turney.

Those who voted in the negative are,

Messrs. Speaker Huling, Allen, Boddie, Brown, Cheatham, Dew, Dickinson, Gowen, Holland, Hurst, Maury, McFarland, McGaughey, Parris, Roberson, Alex. E. Smith, Stephenson, Vernon Watkins Wright and Young.

A bill directory to the treasurer of the Western District.

A bill for the benefit of the heirs of William Chenault.

A bill to amend an act to compel owners of mill dams in Little Pigeon river to put slopes thereon.

A bill to authorise Austin Gresham to sell a certain slave.

A bill to extend the Lynchburg and New River Rail Road to Knoxville, and

A bill for the benefit of the Memphis Hospital.

Were severally read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill for the benefit of Robert M. Walker of Bedford county.

A bill for the benefit of Joseph Nolen, and

A bill to authorise John M. Neal and William Thompson to raise \$25,000 by lottery.

Were severally read a second time and rejected.

A bill requiring the acts of a public nature to be bound,

Was read a second time,

And on the question, Shall the bill pass? it was determined in the affirmative.

YEAS 21

NAYS 13

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Speaker Huling, Boddie, Brown, Carriger, Cheatham, Claiborne, Dew, Dickinson, Gillespie, Gordon, Gowen, James Gray, George Gray, Hatley, Hurst, Inge, Maury, Roberson, Watkins, Wright and Young.

Those who voted in the negative are,

Messrs. Easley, Holland, McFarland, McGaughey, McLean, Nevins, Parris, Rogers, A. E. Smith, Stephenson, Stockton, Turney and Vernon.

Ordered, That the clerk acquaint the Senate therewith.

A bill for the benefit of Gabriel Foulks,

A bill to render the lands lying between Walker's line and the line of north latitude 36; 30, subject to taxation,

A bill for the relief of the 77th regiment,

A bill for the benefit of James O. K. Wood.

A bill to authorise John Martin and John B. Perkins to build a bridge across Cany Fork,

A bill supplementary to an act to dispose of the forfeited lands in the Hiwassee district—and

A bill for the relief of the heirs of Thomas Alsup dec'd,

Were severally read a second time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill for the relief of John Gray Blount and Thomas Blount's devisees,

Was read a second time,

And on the question Shall the bill pass? it was determined in the negative.

YEAS 9

NAYS 24

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Brown, Cheatham, Dickinson, Gillespy, Maury, McFarland, McLean and Rogers.

Those who voted in the negative are,

Mr. Boddie, Carriger, Claiborne, Dew, Easley, Cowen, James Gray, George Gray, Hatley, Holladay, Hurst, Inge, McGaughy, Nevins, Parris, Roberson, A. E. Smith, Stephenson, Stockton, Turney, Vernon, Watkins, Wright and Young.

And so the said bill was rejected.

And then the House adjourned.

TUESDAY, DECEMBER 13th, 1831.

Mr. Carriger, from the committee for enrolled bills, reported,

An act prescribing certain duties to the Clerks of the several courts in this State.

An act for the relief of Mary Guest,

An act for the benefit of Robert Jetton and Jno. Elliott,

An act for the benefit of Castis O'Neal, and

A resolution appointing justices of the peace for the county of Blount, truly enrolled.

The Speaker signed the said acts and resolution.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Easley from the committee on divorces, made a report upon the petitions of Judith Wilson, Faulkner Sisk, Peratelia McKearly, Gabriel R. Brown, Milberry P. Rutland, William Firestone, Benjamin Black, Mary Sanlers, Catharine Logan, Elizabeth N. Turner, and Sterling Dillehay.

And the resolution therein contained was concurred in by the house as follows, to wit;

Resolved, That the prayers of the petitioners ought not to be granted.

Mr. Nevins presented the petition of Rebecca Ashburna praying for a divorce.

Mr. Claiborne presented a petition of sundry citizens of Davidson county, praying that Wyatt Mitchell have leave to build a mill on Stones river.

Mr. Maury presented a petition of sundry citizens of Williamson county, praying that the punishment of death pronounced against James Short be commuted to confinement in the Penitentiary.

Ordered, that said petitions lie on the table.

The reports from the trustees of the Nashville University and East Tennessee College, were read at the Clerk's table.

On motion of Mr. Gillespy.

Ordered, that one thousand copies of the report of the trustees of the Nashville University be printed for the use of this House.

Mr. Turney made a motion that the report of the trustees of East Tennessee college be inclosed by the Clerk of this house in a blank envelope, and returned to them.

And the question being taken thereon, it was determined in the negative.

YEAS 10

NAYS 29

The yeas and nays being desired by the constitutional number of members.

Those who voted in the affirmative are,

Messrs. Allen, Cheatham, James Gray, Hardin, Holland, Parris, Joel R. Smith, Turney Watkins, and Young.

Those who voted in the negative are,

Messrs. Speaker Huling, Boddie, Brown, Carriger, Claiborne, Dew, Dickason, Dobbins, Danlap, Easley, Gillespie, Gordon, Gowen, George Gray, Hatley, Hurst, Inge, Maury, McFerland, McGaughey, McLean, Nevins, Roberson, Rogers, Alex. E. Smith, Stephenson, Stockton, Vernon, and Wright.

Whereupon,

Mr. Joel R. Smith, made a motion that 500 copies of the said report be printed for the use of this house.

And the question being taken thereon,

It was determined in the negative.

Ordered, that said report lie on the table.

A message from the Senate by Mr. Hill their clerk.

Mr Speaker,

The Senate noneconcur in your preamble and resolution instructing the Senators and requesting the representatives in Congress from this State to oppose the renewal of the charter of the Bank of the United States.

And then he withdrew.

A bill to incorporate the Columbia rail road company,

Was read a third time, and last time passed and ordered to be engrossed.

The following bills from the Senate were severally read a first time and passed, to wit:

A bill for the benefit of John W. P. McGimsey and Flora McGimsey.

A bill to authorise the Clerk of the Circuit court of Fentress county to keep his office at his own house—and

A bill to incorporate the town of Williamsport in Maury county and to extend its limits.

Ordered, that the Clerk acquaint the Senate therewith.

A bill to establish an independent volunteer company in Knoxville,

Was read a third time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill to amend the militia laws of this State,

A bill to amend an act entitled an act to establish turnpike bridges in the Western District.

A bill to authorize the commissioners of the Western District turnpike road to rescind the contract between said commissioners and John Thomas jr. and for other purposes.

A bill limiting prosecutions for misdemeanors,

A bill for the relief of James B. Liles of Obion county,

A bill to repeal an act entitled an act to create a new militia company in the county of Wilson.

A bill for the benefit of James Childress.

A bill relative to the registration of deeds and for other purposes, and

A bill to regulate the Academies in this State,

Were severally read a second time and passed.

Ordered that the clerk acquaint the Senate therewith.

A bill for the relief of Nathaniel Reagan of Blount county, was read a second time.

Mr. Maury made a motion to postpone the said bill indefinitely.

And the question being taken thereon, it was determined in the negative.

YEAS 18

NAYS 19

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Boddie, Brown, Cheatham, Dobbins, Gordon, Gowen, James Gray, Geo. Gray, Hatley, Inge Maury, McGaughey, Nevins, Rogers, A. E. Smith, Turney and Watkins.

Those who voted in the negative are,

Mr. Carriger, Claiborne, Dow, Dickinson, Danlap, Gillespy, Hardin, Holland, Hurst, McFarland, McLean, Parris, Roberson, Joel R. Smith, Stephenson, Stockton, Vernon Wright and Young.

Ordered, that Mr. Maury have leave to withdraw the said bill for amendment.

A bill to protect the estates of orphans and for other purposes, was read a second time.

And on the question, Shall the bill pass? It was determined in the affirmative.

YEAS 21

NAYS 17

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Allen, Boddie, Brown, Cheatham, Claiborne, Dew, Dickinson, Dunlap, Gillespy, Gordon, Gowen, James Gray, Inge, Maury, McLean, Nevins, Rogers, J. R. Smith, Turney and Watkins.

Those who voted in the negative are,

Mr. Carriger, Easley, Geo. Gray, Hatly, Hardin, Holland, Hurst, McFarland, McGaughey, Parris, Roberson, Alexander E. Smith, Stephenson, Stockton, Vernon, Wright and Young.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Vernon introduced the following resolution, to wit:

Resolved, that the bills upon the subject of the common schools be referred to the regular committees of both houses on that subject and that they report thereon by bill.

And the question being taken on agreeing thereto, it was determined in the negative.

A bill to amend the act incorporating the Franklin and Nashville turnpike company;

Was read a third time, amended on motion of Mr. Claiborne, and passed.

Ordered, that the clerk acquaint the Senate therewith.

A bill to abolish imprisonment for debt,

Was read a third time.

And on the question, Shall the bill pass? it was determined in the affirmative.

YEAS 27

NAYS 12

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Allen, Boddie, Brown, Carriger, Claiborne, Dew, Dickinson, Dobbins, Dunlap, Easley, Gillespy, Gordon, Gowen, Hurst, Inge, Maury, McGaughey, McLean, Nevins, Roberson, Joel R. Smith, Stephenson, Stockton, Vernon, Watkins and Young.

Those who voted in the negative are,

Mr. Cheatham, James Gray, Geo. Gray, Hatley, Hardin, Kincaid, McFarland, Parris, Rogers, A. E. Smith, Turney, and Wright.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate by Mr. Hill their clerk.

Mr. Speaker—

The Senate have adopted a resolution concerning the publication and distribution of part of the acts of the present session in which they ask your concurrence.

I am directed to deliver to the House of Representatives a report of the joint select committee appointed to count the votes given at the late election, for and against the call of a convention.

And then he withdrew.

When the said report was read at the Clerk's table, and is as follows, to wit:

The joint select committee appointed to count the votes given at the last election for Representative and for the call of a convention, beg leave to report,

That they have performed that duty so far as returns have been received, and find that 70,345 votes have been polled in the 55 counties from which returns have been received, for representatives, and 32,882 votes appear to have been polled for the call of a convention, leaving a majority of 2290 votes against the call of a convention in said 55 counties.

No returns have been received by your committee from either of the counties of Carroll, Claiborne, Anderson, Hawkins, Dyer, Obion and Marion, for representative, but that there appears to have been 2145 votes given in the above named seven counties for the call of a convention, all of which is respectfully submitted.

Ordered, that said report lie on the table.

On motion of Mr. Brown.

Ordered, that the resolution contained in said message lie on the table.

On motion of Mr. Alex. E. Smith.

Resolved, that there shall be printed for the use of the members of this House six thousand copies of the captions of the general acts of this session embracing the substance of the same as far as practicable, and that the secretary of state furnish a copy of the same to the printer.

Mr. Maury returned

A bill for the relief of Nathaniel Ragan of Blount county, with an amendment, which was agreed to by the House.

The bill was further amended on motion of Mr. Gillespy by striking out of it the name of Nathaniel Ragan.

Whereupon,

The said bill was read a third time—and rejected.

A bill to amend the laws on the subject of the chancery courts.

A bill to open and keep in repair the ford road in the counties of Hawkins and Sullivan.

A bill for the benefit of Thomas L. Gray.

A bill to prevent nonresidents from grazing their stock in the counties of Claiborne and Campbell.

A bill to set apart 25 acres of land in Henderson county for a school house.

A bill for the relief of Daniel Madding.

A bill to appoint additional trustees for Bolivar Academy.

A bill to repeal an act to provide a permanent office for the public papers.

A bill exempting citizens of Marion county attached to a troop of cavalry from attending regimental musters.

A bill to repeal the 13th section of an act passed in 1779, chap. 10.

A bill to compel the owners of turnpike roads and toll bridges to keep the same in repair.

A bill for the relief of Charles McNally.

A bill to restore James Carroll to legal privileges.

A bill to appoint Hugh Houston a commissioner for the town of Rutledge.

A bill for the relief of Orange Ham.

A bill for the benefit of Elisha Askew.

A bill supplementary to an act passed Dec. 6, 1825, to authorise Wm. Reynolds to open a turnpike road.

A bill to divorce Henry Anderson from his wife Fanny, and for other purposes,

A bill for the benefit of John B. Rogers and Archibald C. Rogers of Fentress county,

A bill to repeal an act authorising the Mayor and aldermen of the town of Huntingdon to sell certain alleys, and for other purposes.

A bill to amend the laws regulating the town of Jonesboro.

A bill to prevent trespasses upon school lands in Warren county.

A bill to alter the line between Overton and Fentress counties, so as to include Willis Huddleston in Overton county.

A bill to amend the penal laws of this State, passed in 1829 & 1830,

And a bill for the benefit of Azer Wyly,

Were severally read a third time and passed.

Ordered, that the clerk acquaint the Senate therewith.

A bill for the relief of Nathan Job,

Was read a third time, and last time passed and ordered to be engrossed.

The house took up

A bill concerning free persons of color.

Mr. Easley made a motion to strike out the second section of said bill

And the question being taken thereon, it was determined in the negative.

YEAS 18

NAYS 19

The yeas and nays being desired by the constitutional number of members.

Those who voted in the affirmative are,

Do House.

Messrs. Cheatham, Dickinson, Dunlap, Easley, Gillespie, James Gray, George Gray, Hurst, Maury, McFarland, McGaughey, Nevins, Rogers, A. E. Smith, Stephenson, Vernon, Wright and Young.

Those who voted in the negative are,

Mr. Speaker Huling, Allen, Boddie, Brown, Carriger, Claiborne, Dew, Dobbins, Gordon, Gowen, Hatley, Inge, McLean, Parris, Roberson, Joel R. Smith, Stockton, Turney and Watkins.

Whereupon the bill was read a third time, amended on motion of Mr. Turney,

And on the question, Shall the bill pass? it was determined in the affirmative.

YEAS 21

NAYS 16

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Boddie, Brown, Carriger, Claiborne, Dickinson, Dobbins, Gordon, Gowen, Geo. Gray, Hatly, Inge, McLean, Parris, Roberson, A. E. Smith, Joel R. Smith, Stephenson, Stockton, Turney and Watkins.

Those who voted in the negative are,

Mr. Allen, Cheatham, Dew, Dunlap, Easley, Gillespy, James Gray, Hurst, Maury, McFarland, McGaughey, Nevins, Rogers, Vernon, Wright and Young.

Ordered, that the clerk acquaint the Senate therewith.

A bill for the relief of the securities of Joseph Stone.

A bill for the relief of Eliza Ditmore.

A bill for the relief of Amy Wherry.

A bill to incorporate a Female Academy in the county of Rhea.

A bill for the benefit of William Gibson.

A bill for the relief of James H. Mosely.

A bill to authorise females to obtain divorces in court without cost.

A bill to authorise the commissioners of the Bean Station turnpike company to pay interest on certain money.

A bill for the benefit of Isaac West, and for the encouragement of iron works in the Western District.

A bill to authorise Andrew Taylor, jun. to build a fish trap.

A bill for the benefit of James Johnston.

A bill for the benefit of Thomas Travis, of Fentress county.

A bill for the relief of Dempsey Corbett and others.

A bill authorising letters of administration to be granted in certain cases.

A bill to establish the town of Van Buren, in Hardeman county, and for other purposes.

A bill for the relief of Joseph Dwyer.

A bill for the benefit of Isaac Low and D. C. Chamberlain.

A bill for the benefit of securities in cases of peace warrants.

A bill to repeal part of an act to make two regiments by the division of the 5th regiment.

A bill to amend an act to authorise Moses Fisk to open a turnpike road.

A bill for the benefit of Thomas H. Fletcher and Dempsey Powell.

A bill to amend the act to incorporate the town of Bolivar.

A bill authorizing Hasting Poe and Asahel Rawlings to open a turnpike road; and

A bill to incorporate the Somerville Female Academy,

Were severally read a third time and passed.

Ordered, That the clerk acquaint the Senate therewith.

A bill to secure the attendance of Justices of the Peace for the discharge of their duties in the companies for which they were appointed; and

A bill for the benefit of George Wallis, of Wayne county,

Were severally read a third time and rejected.

And then the House adjourned.

WEDNESDAY, DECEMBER 14th, 1831.

The Speaker laid before the House a petition of Elizabeth Corban, praying for a divorce.

Mr. Wright presented the resignation of George Hix, as a trustee of Bolivar Academy, in the county of Monroe.

Ordered, That said petition and resignation lie on the table.

On motion of Mr. Wright,

Ordered, That the committee on Indian reservations be discharged from the further consideration of all business referred to said committee.

Ordered, That the members of this House have leave to withdraw any petitions, papers or documents which they may have presented during the session.

A bill to equalize the tax on wholesale and retail merchants, jewellers, grocers and auctioneers,

Was read a third and last time in both houses,

And on the question, Shall the bill pass and be engrossed?

It was determined in the affirmative.

YEAS 29

NAYS 8

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are

Messrs. Allen, Brown, Carriger, Dickinson, Dobbins, Easley, Gillespy, Gordon, Gowen, James Gray, George Gray, Hatley, Hurst, Maury, McFarland, McGaughey, McLean, Nevins, Parris, Roberson, Rogers, A. E. Smith, Joel R. Smith, Stephenson, Stockton, Turney, Vernon, Wright and Young.

Those who voted in the negative are,

Mr. Speaker Huling, Boddie, Cheatham, Claiborne, Dew, Dunlap, Inge and Watkins.

A bill to appoint trustees of Mount Cumberland Academy, in Fentress county,

Was read a third time and last time, passed and ordered to be engrossed.

The House took up

A bill for the benefit of James Drennen.

Mr. Inge made a motion to amend the said bill by adding thereto the following section, to wit:

“Be it enacted that the Judge of the circuit court of Lincoln county is hereby authorised and required to dismiss a prosecution instituted in said court against John W. Isaacs, for shooting a negro man belonging to Samuel Isaacs, the father of the said John W. Isaacs, upon the payment of costs by the said John W. Isaacs.”

And the question being taken on agreeing to said amendment, It was determined in the negative.

YEAS 18.

NAYS 19.

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Brown, Claiborne, Dobbins, Gillespie, Geo. Gray, Hatley, Hardin, Inge, Maury, McFarland, McLean, Roberson, Rogers, Joel R. Smith, Stockton, Turney and Young.

Those who voted in the negative are,

Messrs. Speaker Huling, Allen, Boddie, Carriger, Cheatham, Dew, Dickinson, Dunlap, Easley, James Gray, Hurst, McGaughey, Nevins, Parris, A. E. Smith, Stephenson, Vernon, Watkins and Wright.

Whereupon the said bill was read a third time and passed.

Ordered, That the clerk acquaint the Senate therewith.

The House took up

A bill to establish boards of internal improvement for the several counties west of the Tennessee river.

Mr. McLean offered an amendment in lieu of the whole of said bill.

And the question being taken on agreeing thereto,

It was determined in the negative.

YEAS 5

NAYS 31

The yeas and nays being desired by the constitutional number of members;

Those who voted in the affirmative are,

Mr. Carriger, Dunlap, Gillespy, Hatley and McLean.

Those who voted in the negative are,

Mr. Speaker Huling, Boddie, Brown, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Easley, Gowen, James Gray, George Gray, Hardin, Holland, Hurst, Inge, McFarland, McGaughey, Nevins, Parris, Roberson, Rogers, A. E. Smith, Joel R. Smith, Stephenson, Stockton, Turney, Vernon, Watkins, Wright and Young.

Mr. James Gray made a motion to amend the said bill by adding thereto a provision, entitling Humphreys, Hardin and Perry counties to a proportion of the fund set apart for internal improvement in the Western District, for such parts of said counties as lie west of the Tennessee river.

And the question being taken thereon,

It was determined in the affirmative.

YEAS 25

NAYS 9

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Boddie, Brown, Carriger, Cheatham, Claiborne, Dew, Dickinson, Easley, Gowen, James Gray, George Gray, Hatley, Hardin, Inge, Maury, McFarland, McGaughey, Nevins, Parris, Roberson, Rogers, Stephenson, Turney and Watkins.

Those who voted in the negative are,

Mr. Gillespy, Holland, Hurst, McLean, A. E. Smith, Joel R. Smith, Stephenson, Vernon and Wright.

Whereupon the said bill was further amended on motion of Mr. Cheatham, read a second time and passed

Ordered, that the clerk acquaint the Senate therewith.

A bill for the benefit of William Mothershead.

Was read a second time and passed.

Ordered, that the clerk acquaint the Senate therewith.

A message from the Senate by Mr. Hill their clerk.

Mr. Speaker—

The Speaker of the Senate did this day sign enrolled bills of the following titles, to wit:

An act to extend the limits of the corporation of the town of Knoxville.

An act authorising the county courts of Giles county to grant permission to Elijah Anthony to build a mill.

An act for the relief of sheriffs and others who have heretofore conveyed convicts to the penitentiary.

Do2 House.

An act regulating the laws now in force regulating appeals in equity.

An act for the benefit of Joseph Hix.

An act to authorise the register to issue a certain grant.

An act to dispose of the public property in the town of Montgomery.

An act to change the time of holding musters in the 116th regiment.

* An act to authorise the sheriff of Jackson and other counties to appoint three deputies.

An act for the benefit of Eunice Cummings.

An act for the benefit of Joseph Vincent.

An act to repeal all laws incorporating the town of Athens.

An act to prevent sheriffs and others holding elections, from opening the tickets of voters before they are put in the ballot box.

An act to exonerate all persons living on Walden's ridge, in Rhea county, near Gordon's road, from mustering.

An act to incorporate the Clarksville and Russellville rail road company.

An act to change the time of holding regimental drill musters.

An act to reduce the fees of clerks in certain cases.

An act to authorise Willian Simpson to open and establish a toll bridge and turnpike road across Hatchie river and bottom.

An act for the relief of those persons who are about to be injured by the loss of papers, records, &c. by the hurricane at Charlotte, in 1830; and

An act to authorise Thomas Tipton and Zechariah Clarke, of Blount county, to open a turnpike road.

And then he withdrew.

The Speaker signed the said acts.

Ordered that the clerk deposite the same in the office of the Secretary of State.

The House took up a bill to amend an act entitled an act to establish a system of common schools and to appropriate the school fund.

Mr. Claiborne made a motion to amend the said bill by inserting between the word 'year' and the word 'and,' in the 10th section, the following words, to wit:

"But the same shall be loaned out from time to time by the commissioners for the use of such district, until said district may be prepared to go into operation."

And the question being taken on agreeing thereto, it was determined in the affirmative.

YEAS 23

NAYS 16

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Brown, Carriger, Cheatham, Claiborne, Dickinson, Dobbins, Gillespy, Gordon, Gowen, Jas. Gray, George Gray, Hatley, Holland, Hurst, Maury, McLean, Roberson, J. R. Smith, Stockton, Vernon Wright and Young.

Those who voted in the negative are,

Mr. Speaker Huling, Allen, Boddie, Dew, Dunlap, Easley, Inge, McFarland, McGaughey, Nevins, Parris, Rogers, A. E. Smith, Stephenson, Turney, and Watkins.

Mr. Wright made a motion to amend the said bill by striking out the sixth section thereof.

And the question, being taken thereon

It was determined in the negative.

YEAS 12
NAYS 28

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative, are

Mr. Gillespie, Gordon, Gowen, Geo. Gray, Hurst, Inge, Kincaid, Parris, Stockton Vernon, Wright and Young.

Those who voted in the negative are,

Messrs. Speaker Huling, Allen Boddie, Brown, Carriger, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Dunlap, Easley, James Gray, Hatley, Hardin, Holland, Maury, McFarland, McGaughey, McLean, Nevins, Roberson, Rogers, A. E. Smith, J. R. Smith, Stephenson, Turney and Watkins.

Mr. Vernon made a motion to amend the said bill by adding thereto an additional section in the following words to wit:

Be it enacted that if there shall be any suit or suits commenced against any commissioner or commissioners for any tract or parcel of land being set apart for common school purposes in this State, or by them instituted, in behalf of said township, in that case the State shall pay all costs accruing thereon, and after that period then and in that case the said section of land shall be valued to said township as part of their said fund and not sooner, and should any district not have its proportionable part of the school lands, then and in that case, it shall receive as much money as will put it on an equality with each and every district in this state.

And the question being taken on agreeing thereto, it was determined in the negative.

Whereupon the said bill was read a second time,

And on the question Shall the bill pass? it was determined in the affirmative.

YEAS 23
NAYS 16

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Carriger, Dew, Dobbins, Dunlap, Easley, Gordon, James Gray, Hardin, Holland, McFarland, McGaughey, Nevins, Roberson, Rogers, Alexander E. Smith, Joel R. Smith, Stephenson, Stockton, Turney, Vernon, Watkins and Young.

Those who voted in the negative are,

Messrs. Boddie, Brown, Cheatham, Claiborne, Dickinson, Gillespie, Gowen, Geo. Gray, Hatley, Hurst, Inge, Kincaid, Maury, McLean, Parris, and Wright.

Ordered, that the clerk acquaint the Senate therewith.

The following bill from the Senate was read a first time and passed, to wit:

A bill to extend the operation of the laws of this state over that portion of the State within the bounds of the Cherokee Nation in certain cases, and under certain restrictions.

Ordered, that the clerk acquaint the Senate therewith.

A message from the Senate by Mr. Hill their clerk.

Mr. Speaker,

The Senate have adopted a preamble and resolutions concerning the exercise of certain powers by the General Government, in which they ask your concurrence.

And then he withdrew.

A bill, from the Senate, directory to the Secretary of State, Was read a first time and rejected.

The house took up

A bill to regulate the fees of clerks and masters in the chancery courts.

Mr. Claiborne offered an amendment to the said bill.

Mr. Dobbins made a motion to postpone the bill and amendment indefinitely.

And the question being taken thereon it was determined in the negative.

YEAS 14

NAYS 22

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Boddie, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Gordon, Hatly, Holland, Inge, Maury, McLean, Watkins, and Young.

Those who voted in the negative are,

Mr. Allen, Brown, Carriger, Dunlap, Easley, Gillespy, Gowen, James Gray, George Gray, Hardin, Hurst, Kincaid, McFarland, McGaughey, Parris, Roberson, Rogers, Joel R. Smith, Stephenson, Stockton, Turney, Vernon, and Wright.

The question recurring on the adoption of the amendment proposed by Mr. Claiborne, and being put,
It was determined in the negative.

Whereupon,

The said bill was read a second time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill for the benefit of Joseph P. Nealy and Jane C. Nealy,

A bill for the relief of Miller Isbell and others,

A bill to provide for the circulation and preservation of the Journals of Congress and for other purposes.

A bill concerning the publication of decisions of the Supreme court of this state, and

A bill supplemental to an act to appropriate the school lands in the Hiwassee district to the use of schools for the instruction of children therein passed at the present session.

Were severally read a second time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

The House took up a bill to provide for the payment of the expenses of the trial of Judge Haskell.

Mr. Hatly made a motion to amend the said bill so as to provide for the payment by the State of the witnesses summoned by Judge Haskell in his defence.

And the question being taken thereon, it was determined in the negative.

YEAS 12

NAYS 23

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Boddie, Cheatham, Dickinson, Dobbins, Gillespie, James Gray, George Gray, Hatly, Holland, McLean, J. R. Smith, and Young.

Those who voted in the negative are

Mr. Brown, Carriger, Claiborne, Dew, Dunlap, Easley, Gordon, Gowen, Hardin, Hurst, Inge, Maury, McFarland, McGaughy, Nevins, Parris, Roberson, A. E. Smith, Stephenson, Stockton, Turney, Vernon, Watkins and Wright.

Whereupon,

The said bill was read a second time and passed.

Ordered, that the clerk acquaint the Senate therewith.

A bill concerning the correction of grants, plats and certificates and for other purposes,

Was read a second time and rejected.

Mr. Dunlap introduced a preamble and resolutions requesting the members of Congress from this State to endeavor to have the proceeds of the public lands made a permanent fund for the promotion of education in the several States.

Ordered, that said preamble and resolutions lie on the table.

The house took up a bill to give jurisdiction to justices of the peace in cases of assault and battery.

Mr. Brown offered an amendment in lieu of the whole of said bill.

Mr. Maury made a motion to postpone the said bill and amendments indefinitely.

And the question being taken thereon, it was determined in the negative.

YEAS 14

NAYS 19

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Allen, Boddie, Cheatham, Claiborne, Dew, Dobbins, George Gray, Holland, Hurst, Inge, Maury, Turney, Watkins and Young.

Those who voted in the negative are,

Messrs. Speaker Huling, Brown, Carriger, Dickinson, Gillespie, Gowen, James Gray, Hardin, Hatley, McFarland, McGaughy, McLean, Nevins, Parris, Roberson, A. E. Smith, J. R. Smith, Stephenson, Stockton, Vernon and Wright.

Whereupon,

The question was taken on agreeing to the amendment proposed by Mr. Brown, and determined in the affirmative.

Whereupon,

The said bill was read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The House took up

A bill to establish a board of Internal Improvement for Davidson, Rutherford and Bedford counties.

Mr. Claiborne offered an amendment in lieu of the whole bill.

Mr. James Gray made a motion to amend the amendment by striking out of the 5th section thereof the words, "to be ascertained by him according to the census of free white inhabitants recently taken in said counties by the Marshal of the district of West Tennessee when compared with the whole number of free white inhabitants in middle Tennessee," for the purpose of inserting in lieu thereof the following words, to wit: "as three of the counties of Middle Tennessee,

And the question being taken thereon, it was determined in the affirmative.

And then the House adjourned.

Douglass, a gentleman totally disinterested, to reduce the said county of Overton to its constitutional limits; which duty he performed. And a bill has passed into a law at the present session, directing the centre of said county to be ascertained agreeably to the survey as made by Burchett Douglass, and providing that the free voters of said county shall determine by vote whether the present seat of Justice therein shall be removed to the centre, &c. Your committee are of opinion that the law passed at the present session of this General Assembly, providing for the permanent establishment of the seat of justice in said county, extends equal justice to both of the contending parties: and your committee therefore hope that this law will put an end to the controversy; and that in future, the Legislature will not be troubled with it. They therefore recommend to the House the adoption of the following resolution, to wit:

Resolved that the prayer of the petitioners is unreasonable, and ought not to be granted.

All of which is most respectfully submitted.

And the question being taken on agreeing to the resolution contained in said report,

It was determined in the affirmative.

Mr. Carriger, from the committee on enrolled bills, reported as truly enrolled,

An act to incorporate the Columbia rail road company.

An act to appoint trustees of Mount Cumberland Academy, of Fentress county; and an act for the relief of Nathan Jobe.

The Speaker signed the said acts.

Ordered, that the clerk acquaint the Senate therewith.

A bill to suppress open and notorious lewdness, and for other purposes.

A bill for the benefit of Richard Locke.

A bill to alter the time of holding regimental musters in the 32nd regiment.

A bill for the benefit of Elizabeth C. Bell and Margaret C. Key.

A bill authorising George W. Wood to open a turnpike road.

A bill relating to water craft that may be stopped when adrift, on any of the waters of this State; and

A bill for the benefit of John Jett and others.

Were severally read a third time and passed.

Ordered, That the clerk acquaint the Senate therewith.

The House took up a bill to change the time of holding the supreme court at Jackson and for other purposes. Mr. Easley made a motion to amend the said bill by adding thereto a provision removing the chancery court from Rogersville to Rutledge.

And the question being taken thereon, it was determined in the negative.

Mr. Joel R. Smith offered an amendment to a bill providing for the removal of the chancery court from Paris to Trenton.

THURSDAY, DECEMBER 15, 1831.

Mr. Hatley presented the resignation of George M. Pertle, as a justice of the piece for Hardeman county—

Mr. Hurst presented the resignation of John S. Wilson as a justice of the peace for McMinn county.

Which resignations were read, accepted and referred to the committee on Captain's companies and justices of the peace.

Mr. Nevins presented a petition of Michael C. A. Hall praying for a divorce.

Mr. Claiborne presented a petition of sundry citizens of Rutherford county, praying that Wyatt Mitchell may be authorised to build a mill on Stone's river.

Ordered, that said petitions lie on the table.

Mr. Nevins from the committee on Captain's companies and justices of the peace, reported a resolution appointing justices of the peace for the counties of Rhea, Fentress, Hardeman, Henderson, Haywood, Overton, Morgan and White.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Hurst, from the committee on new counties and county lines, made a report upon the petition of sundry citizens of White, praying that they may be attached to Bledsoe; and the petition of Alfred Mims, a citizen of Cocke county. And the resolution therein contained was concurred in by the House as follows to wit:

Resolved, that the prayer of the petitioners ought not to be granted.

Mr. Hurst, from the same committee, made the following report, to wit:

The committee on new counties and county lines, to whom were referred the petition of sundry citizens of Overton county, praying the establishment of Jonathan Douglass' line as the true dividing line between Overton and Fentress counties, beg leave to report, that by an act of the General Assembly of 1823, Overton county was reduced to her constitutional limits and Fentress county established. In the year 1826, the Legislature again took the subject under consideration, and passed a law directing a resurvey of said county, which as your committee are informed was never accomplished. In 1827 a law was passed authorizing James McMillan's survey, which still failed to give satisfaction to the contending parties. In 1829 this subject was again brought before the legislature, and referred to a committee who examined the subject with great caution, as appears from their report. The legislature then in order to settle the controversy and do equal justice to the parties interested, appointed Burchett

And the question being taken on agreeing thereto, it was determined in the negative.

Whereupon, the said bill was read a third time and passed.

Ordered, That the clerk acquaint the Senate therewith.

Mr. Easley introduced

A resolution appointing John Dennis a Justice of the Peace for Grainger county—and

Mr. Allen introduced

A resolution appointing Justices of the Peace for Smith county.

And the question being taken on agreeing to said resolutions, it was determined in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith, and ask their concurrence therein.

A bill to appropriate funds and organize a board to improve the navigation of Cumberland river.

A bill to allow the sheriffs of Obion and Dyer counties longer time for the payment of certain moneys; amended on motion of Mr. Holland.

A bill to reduce the fees of clerks for recording an account current rendered by a guardian. And

A bill for the relief of Peter North,

Were severally read a second time and passed.

Ordered, That the clerk acquaint the Senate therewith.

The house took up

A bill for the benefit of John Walters, of Smith county.

Mr. Allen made a motion to amend said bill by inserting therein the names of Hazard and Green, Barklay and Foster, Thomas A. Lancaster, G. & N. Tubb and Samuel A. Quarles.

And the question being taken thereon,

It was determined in the affirmative.

Whereupon the said bill was read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The House took up

A bill to amend the laws of this state in relation to the government of slaves and free persons of color.

Mr. Easley made a motion to postpone the said bill indefinitely.

And the question being taken thereon,

It was determined in the negative.

Whereupon the said bill was read a second time and the State,

Ordered, that the Clerk acquaint the Senate thereby for the same

A bill to establish a company to be called the Nashville

A bill for the benefit of the estate of Robert Y. the last session

A bill to appropriate a sum of money to aid the people to these circumstances, at a majority of the

A bill concerning the seat of Justice in the

A bill to amend the Judiciary system of this

THE HOUSE.

A bill to extend the benefits of the ~~last~~ section of the act of 1829, chap. 40,

Were severally read a second time and passed.

Ordered that the clerk acquaint the Senate therewith.

The house took up

A bill to regulate the fees of the clerks of the different courts of this State.

Mr. Claiborne made a motion to amend the said bill by striking out the words, 'twenty-five cents,' for the purpose of inserting in lieu thereof 'thirty-seven and a half cents,' as the clerk's fee for a copy of the proceedings on a petition to divide a tract of land.

And the question being taken thereon, it was determined in the affirmative.

YEAS 17

NAYS 12

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Allen, Boddie, Brown, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Easley, Gordon, James Gray, Hatley, Inge, McGaughey, McLean, Watkins and Young.

Those who voted in the negative are,

Mr. Carriger, Gowen, Geo. Gray, McFarland, Parris, Roberson, Joel R. Smith, Stephenson, Stockton, Turney, Vernon and Wright.

Mr. Wright made a motion to amend the said bill so that the clerk's fee should be 25 cents, instead of 50 cents, as the bill provides, for issuing a writ of certiorari and a writ of superse-deas.

And the question being taken thereon,

It was determined in the affirmative.

YEAS 20

NAYS 14

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Allen, Brown, Carriger, Dickinson, Dunlap, Gordon, Roberson, George Gray, Hatley, Hurst, McFarland, McGaughey, Parris, Roberson, J. R. Smith, Stephenson, Stockton, Turney, Vernon and Wright.

Those who voted in the negative are,

Mr. Claiborne, Boddie, Cheatham, Claiborne, Dew, Dickinson, James Gray, Holland, Inge, McLean, Nevins, and Wright.

Mr. Wright made a motion to amend the said bill by striking out the words '50 cents,' and inserting in lieu thereof the words 'thirty-seven and a half cents,' as the clerk's fee for issuing a marriage li-

And the question being taken thereon, it was determined in the negative.

YEAS 13
NAYS 20

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Boddie, Cheatham, Claiborne, Dobbins, Dunlap, Easley, George Gray, Inge, Joel R. Smith, Turney, Watkins and Young.

Those who voted in the negative are,

Mr. Allen, Brown, Carriger, Dew, Dickinson, Gordon, Gowen, Jas. Gray, Hatley, Holland, McFarland, McGaughey, McLean, Nevins, Parris, Roberson, Stephenson, Stockton, Vernon and Wright.

Whereupon the said bill was read a second time and passed.

Ordered that the clerk acquaint the Senate therewith.

A bill to amend an act to incorporate the Big Hatchie Turnpike Company,

Was read a second time and passed.

Ordered, That the clerk acquaint the Senate therewith.

The two Houses assembled in the hall of this House for the purpose of taking into consideration the propriety of recommending to the people of this State, to vote at the next general elections for or against the call of a convention to revise and amend the Constitution of the State.

When Mr. Dunlap offered the following resolution, to wit:

Resolved, That the proceedings of the committee of the whole of the two Houses on the subject of a convention be recorded by the clerks of the Senate and House of Representatives, in the Journal of each house.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Whereupon,

Mr. Dunlap submitted the following preamble and resolutions, to wit:

Whereas, the people of this State at the late election manifested a strong inclination in favor of calling a convention, there being only about two thousand less than was necessary under the constitution.

And whereas it is believed that in many counties of the State, many persons favorable to a convention did not vote for the same under a mistaken belief that the resolution of the last session had not been signed and enrolled so as to authorize the people to vote for or against a convention. Under these circumstances, the present General Assembly, believing that a majority of the

people are in favor of calling a convention, and that the constitution requires amendment:

Therefore,

Resolved, by the General Assembly of the State of Tennessee, two thirds of the General Assembly concurring therein, that it be, and is hereby recommended to the good people of this State, at the next general election for members of the General Assembly, to vote for or against the calling of a convention to revise and amend the constitution of the State of Tennessee.

Resolved, that it shall be the duty of the officers holding the elections aforesaid, to read the foregoing resolution at the place of holding the elections at the opening of the polls, and at 2 o'clock, P. M. on each day of such elections.

And the question being taken on the adoption of said preamble and resolutions,

It was determined in the affirmative.

YEAS 25
NAYS 7

Those who voted in the affirmative are,

Mr. Speaker Douglass, Anderson, Andrews, Bradford, Burford, Davis, Field, Frey, Gillespy, Greene, Holman, Jetton, Lytle, McIver, Murray, Perkins and Polk, of the Senate; and

Mr. Speaker Huling, Allen, Boddie, Brown, Carriger, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Dunlap, Gillespy, Gordon, Gowen, James Gray, Geo. Gray, Hatly, Hardin, Holland, Hurst, Inge, Kincaid, Maury, McLean, Nevins, Parris, Roberson, Alexander E. Smith, J. R. Smith, Stockton, Turney, Vernon, Watkins, Wright and Young, of the House of Representatives.

Those who voted in the negative are,

Mr. Brabson, McClellan and Wyly, of the Senate; and

Mr. Easley, McFarland, McGaughey and Stephenson, of the House of Representatives.

A message from the Senate by Mr. Hill their clerk.

Mr. Speaker—

The Senate concur in your resolutions appointing Justices of the Peace for the counties of Smith, Rhea, Fentress, Hardeman, Henderson, Overton, Morgan, Haywood, White and Grainger.

They have adopted a resolution to meet the house of Representatives on Monday the 19th inst. for the purpose of electing a chief Justice and Associate Judge of the supreme court—three Inspectors of the Penitentiary—a President, Cashier and Directors of the Bank of the State, in which they ask your concurrence.

And then he withdrew.

Whereupon the question was taken on agreeing to the resolution contained in said message.

And determined in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith.

A bill for the relief of Samuel Hunt, late sheriff of Washington county, and James P. McCarty, former sheriff of Hawkins county.

A bill for the benefit of Richard Rushing and Anderson Smith.

A bill for the benefit of the heirs of Col. John Tipton, late member of the house of Representatives.

A bill to incorporate the Memphis rail road company; and

A bill for the benefit of William B. Loftin & others,

Were severally read a second time and passed.

Ordered, that the clerk acquaint the Senate therewith.

A bill to transfer a cause from the Supreme Court at Jackson to the Supreme Court at Nashville; and

A bill to change the time of holding the circuit and county courts in the 11th Judicial circuit,

Were read a second time and rejected.

The House took up

A bill to amend the registration laws, and for other purposes.

Mr. McFarland made a motion to postpone the said bill indefinitely.

And the question being taken thereon it was determined in the negative.

YEAS 13

NAYS 24

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Carriger, Dobbins, Easley, Geo. Gray, Hardin, Inge, McFarland, McGaughey, Roberson, Stephenson, Turney, Vernon and Young.

Those who voted in the negative are,

Mr. Speaker Huling, Allen, Boddie, Brown, Cheatham, Claiborne, Dew, Dickinson, Dunlap, Gillespy, Gowen, James Gray-Hatley, Holland Hurst, Maury, McLean, Nevins, Parris, A. E. Smith, Joel R. Smith, Stockton, Watkins and Wright.

Whereupon,

The said bill was read a second time and passed.

Ordered, that the clerk acquaint the Senate therewith.

A bill to amend an act entitled an act to amend the laws prescribing the mode of making partition of lands passed Oct. 26, 1799

A bill to regulate warehouses.

A bill to provide the means by which the existence and locality of Matthews' line is to be determined.

EE2 House.

A bill to authorise the counties of Robertson, Montgomery & Dickson to take appeals to the supreme court at Nashville.

A bill for the relief of Larkin H. Bowling.

A bill to change the time of holding the county courts of Washington county.

A bill for the benefit of Henry Lightfoot and Joseph Hodge.

A bill for the relief of William Polk.

A bill for the relief of David Weir.

A bill to amend and explain the acts now in force in this State to suppress the odious practice of gaming, tippling and trading with slaves.

A bill to appoint a Geologist, Mineralogist and Assayer of the State.

A bill establishing the town of Batavia, in Carroll county.

A bill concerning Trustees.

A bill to declare Knob creek navigable.

A bill to change the time of holding battalion musters, in the 22nd regiment.

A bill to include the residence of John Andrews within the county of Giles.

A bill to compel certain persons to pay for the use and occupation of land in certain cases.

A bill to repeal an act passed in 1827, authorising Isaac and Lewis Miller to erect a mill dam on Clinch river.

A bill for the benefit of Lucinda Allen,

A bill for the relief of Wesley Simmons and others, of Claiborne county.

A bill for the relief of Wm. Anderson Clerk of Sullivan circuit court.

A bill concerning the taxation of costs in the Supreme court.

A bill for the relief of Thomas Fite and Jephtha Billingsly.

A bill for the benefit of John McCrosky former sheriff of Monroe county,

A bill to incorporate the Columbia female academy,

A bill for the relief of Henry Matlock, and

A bill to defray the expenses of the present session of the General Assembly,

Were severally read a second time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill to amend an act of the last session on the subject of delivery bonds.

A bill giving further time for surveying entries and obtaining grants thereon.

A bill for the benefit of Daniel Larkins,

A bill to explain and amend the laws concerning insolvent debtors.

A bill for the relief of Allen D. Gentry, and

**A bill for the relief of John Key and others,
Were severally read a second time and rejected,
And then the House adjourned.**

FRIDAY, DECEMBER 16th, 1831.

Mr. McFarland presented the petition of sundry citizens of Jefferson county, praying the appointment of James Witt, Isaac Day, John Baker, Richard Hayworth, Charles Harrison, John W. Bewly and Wm. Barton, as Justices of the Peace for said county.

Mr. Inge presented the petition of sundry citizens of Lincoln county, praying the appointment of justices of the peace for said county.

Mr. Hatley presented the resignation of F. Shoemake as a justice of the peace for Hardeman county.

Mr. Gowen presented the resignation of Cullen Carlee, as a justice of the peace for Rutherford county.

Ordered, That said petitions and resignations be referred to the committee on Captains companies and justices of the peace.

Mr. McLean presented a petition of David Hay of Haywood county.

Ordered, That said petition lie on the table.

Mr. Nevins from the committee on captains' companies and justices of the peace, reported

A resolution appointing justices of the peace for McMinn and Hardeman counties.

And the question being taken on agreeing thereto it was determined in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. McGaughey, from the committee of propositions and grievances, made a report on the petition of Charles H. Dorian.

And the resolution therein contained was concurred in by the house as follows, to wit:

Resolved, that the prayer of the petitioners ought not to be granted.

Mr. Watkins from the committee of claims made a report upon the petition of James Bradford sheriff of Jefferson county, and the resolution therein contained was concurred in by the House as follows to wit:

Resolved, that the prayer of the petitioner ought not be granted.

Mr. Watkins from the same committee made a report upon the petition of Absalom Looney; that the prayer thereof was reasonable and ought to be granted.

Which report was concurred in by the House.

Mr. Carriger from the committee for enrolled bills, reported as truly enrolled.

A resolution appointing justices of the peace for the counties of Henderson, Overton, Morgan, Haywood, White, Grainger, Smith, Rhea, Fentress and Hardeman, and

A resolution recommending the call of a convention,

The Speaker signed the said resolutions.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Easley presented a petition of Joseph Collins praying to be permitted to retail merchandize without license.

Ordered, that said petition be referred to the committee of propositions and grievances.

A bill for the benefit of Matthew McClannahan,

A bill to extend the north boundary line of the corporation of Lebanon,

A bill for the relief of Nathan Haggard,

And a bill to extend the corporation of the town of Kingston,

Were severally read a second time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill for the relief of Wm. Carter former sheriff of Carter county,

A bill for the encouragement of salt works,

A bill to amend the laws heretofore passed authorizing the county courts to establish and control a poor house,

A bill to authorize Peter N. Smith to sell a tract of land and slaves for the benefit of the heirs of James Scott dec'd.

A bill supplemental to an act providing for the leasing of land set apart for the use of common schools thereon in middle Tennessee, passed Oct. 29, 1831.

A bill for the benefit of John Sharp and Daniel Davis,

A bill to distribute the infantry tactics for the use of the militia.

A bill to authorize M. H. Howard and others to build a mill or iron works on big Sandy river in Henry county,

A bill to repeal the act of 1827, chap. 37,

And a bill to authorize the county court of Knox county to levy a tax to aid in erecting a new court house and for other purposes.

Were severally read a third time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill to provide for the circulation and preservation of the journals of congress and for other purposes,

A bill for the relief of Jonas B. Liles of Obion county,

A bill to authorize the commissioners of the Western District turnpike road to rescind a contract with John Thomas jr. and for other purposes.

A bill to amend an act entitled an act to establish turnpike bridges in the Western District.

A bill to amend the militia laws of this state,

A bill limiting prosecutions for misdemeanors.

A bill relative to the registration of deeds, and for other purposes,

A bill to regulate the toll at Jetton's and Elliott's turnpike gate at Sandy bridge in Carroll county,

A bill supplemental to an act entitled an act to appropriate the school lands in the Hiwassee district to the use of schools, passed at the present session,

A bill for the relief of Joseph P. Nealy and Jane C. Nealy of Jackson county,

A bill for the relief of Miller Isbell and others,

A bill to allow the Sheriffs of Obion and Dyer counties longer time for the payment of certain taxes and for other purposes.

A bill for the relief of the citizens of Kingsport in Sullivan county,

A bill for the benefit of Sandford and Mitchell,

And a bill to amend an act passed in 1829 to incorporate the Big Hatchie turnpike road company,

Were severally read a third time, and last time passed and ordered to be engrossed.

A message from the Senate by Mr. Hill their clerk.

Mr. Speaker—

The Senate have adopted a resolution appointing a justice of the peace for Madison county.

They concur in your resolution appointing justices of the peace for McMinn and Hardeman counties.

The Speaker of the Senate did this day sign enrolled bills of the following titles, to wit;

An act for the benefit of Elizabeth C. Bell and others,

An act to abolish imprisonment for debt except in cases of fraud,

An act to alter the time of holding regimental musters in the 32d regiment,

An act to prevent nonresidents from grazing their stock in Claiborne and Campbell counties,

An act for the benefit of John Jett and others,

An act exempting citizens of Marion county attached to a troop of cavalry from attending regimental musters,

An act to appoint Hugh Houston a commissioner for the town of Rutledge.

An act to amend an act to keep in repair the Ford road in Hawkins and Sullivan counties,

An act for the benefit of Elisha Askew,

An act for the relief of Orange Ham,

An act to appoint additional trustees for the Bolivar female academy,

An act to set apart 25 acres of land for a school house in Henderson county,

An act to amend the laws on the subject of the chancery courts.

An act to incorporate the town of Liberty in the county of Smith,

An act for the benefit of Richard Locke,

An act to incorporate the city hotel company,

An act for the benefit of Daniel Madding,

An act relating to water crafts that may be stopped when adrift in any of the waters of this State,

An act to establish a volunteer company in Knoxville,

An act to restore James Carroll to legal privileges,

An act to repeal an act authorizing the mayor and aldermen of the town of Huntingdon to sell certain alleys and for other purposes,

An act to repeal an act entitled an act to provide a permanent office for the public papers of the State, and

An act to repeal the 13th section of an act passed in 1779, chapter 10.

And then he withdrew.

Whereupon;

The Speaker signed the said acts.

Ordered, That the Clerk deposit the same in the office of the Secretary of State.

And the question being taken on agreeing to the resolution contained in said message,

It was determined in the affirmative.

Ordered, that the clerk acquaint the Senate therewith.

A bill to compensate Samuel G. Smith for services performed and moneys expended in the service of the State,

Was read a third time and last time in both houses,

And on the question, Shall the bill pass and be engrossed? It was determined in the affirmative.

YEAS 22

NAYS 14

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Allen, Boddie, Brown, Carriger, Cheatham, Dew, Dickinson, Dobbins, Dunlap, Gillespie, Gordon, Gowen, George Gray, Hatley, Hardin, Holland, Inge, Kincaid, McLean, Nevins, J. R. Smith, and Young.

Those who voted in the negative are,

Messrs. Speaker Huling, Claiborne, Easley, James Gray, Hurst, McFarland, McGaughey, Parris, Roberson, A. E. Smith, Stephenson, Stockton, Watkins and Wright.

Mr. Turney made a motion to reconsider the vote by which a bill to change the time of holding the county and circuit courts in the 11th Judiciary circuit was rejected.

And the question being taken thereon, it was determined in the affirmative.

And so the said bill was reconsidered.

The house took up

A bill to regulate the academies in this State.

Mr. Cheatham made a motion to postpone the said bill indefinitely.

And the question being taken thereon, it was determined in the affirmative

YEAS 22

NAYS 15

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Brown, Carriger, Cheatham, Claiborne, Easley, Gordon, Gowen, James Gray, George Gray, Hatley, Holland, Hurst, Inge, Maury, McFarland, McGaughey, McLean, Roberson, Stephenson, Turney, Watkins, and Young.

Those who voted in the negative are,

Messrs. Speaker Huling, Allen, Boddie, Dew, Dickinson, Dobbins, Dunlap, Gillespie, Hardin, Kincaid, Parris, A. E. Smith, J. R. Smith, Stockton, and Wright.

And so the said bill was rejected.

The following bill from the Senate was read a first time and passed, to wit:

A bill to amend the laws incorporating the inhabitants of the town of Alexandria in Smith county and for other purposes.

Ordered, that the Clerk acquaint the Senate therewith.

Mr Kincaid introduced a resolution appointing Justices of the Peace for the county of Bedford.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, that the clerk acquaint the Senate therewith, and ask their concurrence therein.

A bill concerning the publication of the decisions of the supreme court—and

A bill to establish a turnpike bridge across Hatchie river in Haywood county,

Were read a third time and rejected.

Mr. Easley made a motion to reconsider the vote by which a bill to regulate the academies in this state was rejected.

And the question being taken thereon, it was determined in the negative.

YEAS 16

NAYS 21

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Allen, Boddie, Dew, Dickinson, Dobbins, Dunlap, Easley, Gillespy, Hardin, Kincaid, Nevins, Parris, A. E. Smith, Stockton, Wright and Young.

Those who voted in the negative are,

Mr. Brown, Carriger, Cheatham, Claiborne, Gordon, Gowen, Jas. Gray, George Gray, Hatley, Holland, Inge, Maury, McFarland, McGaughey, McLean, Roberson, J. R. Smith, Stephenson, Turney, Vernon and Watkins.

A bill providing for the removal of obstructions in Elk river,
Was read a third time,

And on the question Shall the bill pass? it was determined in the affirmative.

YEAS 22

NAYS 14

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Carriger, Cheatham, Dickinson, Dunlap, Gillespy, Gowen, James Gray, Gorge Gray, Hardin, Hurst, Kincaid, McFarland, McGaughey, Nevins, Parris, Roberson, A. E. Smith, Joel R. Smith, Stephenson, Stockton, Turney and Vernon.

Those who voted in the negative are,

Mr. Allen, Boddie, Brown, Claiborne, Dew, Easley, Gordon, Hatley, Holland, Inge, Maury, McLean, Watkins and Wright.

Ordered, that the clerk acquaint the Senate therewith.

A message from the Senate by Mr. Hill their clerk.

Mr. Speaker—

The Senate concur in your resolution appointing Justices of the Peace for Bedford county.

The Speaker of the Senate did this day sign an enrolled resolution appointing a justice of the Peace for Madison county.

And then he withdrew.

When the Speaker signed the said resolution.

Ordered that the clerk deposite the same in the office of the Secretary of State.

A bill for the benefit of James Childress; and

A bill to provide for the payment of the expenses incurred in the trial of Judge Haskell,

Were read a third time and last time, passed and ordered to be engrossed.

A bill for the benefit of James Young, of Sparta.

A bill to authorise David S. Shelton to build a mill dam on Sequachee river.

A bill for the benefit of Sally Hobson, and for other purposes.

A bill for the relief of Peter North, of Jefferson county.

A bill for the benefit of Robert V. McGimsey.

A bill to regulate the practice on writs of Mandamus.

A bill for the benefit of the heirs of Daniel Wheaton and James Tisdale.

A bill to alter the time of holding the regimental muster in the 112th regiment; and

A bill to amend the laws in relation to the turnpike road across Cumberland Mountain, of which Samuel Harris is proprietor, Were severally read a third time and passed.

Ordered, That the clerk acquaint the Senate therewith.

A bill to authorize the Militia officers to divide the different regiments into three battalions in certain cases.

A bill to establish a board of internal improvement for the mountain district.

A bill creating a board of internal improvement for the counties of Giles, Lincoln, Franklin and Rutherford,

Were severally read a second time and passed.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Gordon introduced

A resolution referring warrant No. 393 to the Secretary of State for adjudication.

And the question being taken on agreeing thereto,

It was determined in the affirmative.

Ordered, that the clerk acquaint the Senate therewith, and ask their concurrence therein.

The House took up

A bill to establish the county of De Kalb.

Mr. Allen made a motion to postpone the said bill indefinitely.

And the question being taken thereon,

It was determined in the affirmative.

And so the said bill was rejected.

The following bills from the Senate were read a first time and passed, to wit:

A bill to revise and amend an act to establish a system of common schools, and to appropriate the school fund; and

A bill prescribing the duties of sheriffs in relation to the call of a convention.

Ordered, That the Clerk acquaint the Senate therewith.

The House took up

A bill to establish boards of internal improvement in the several counties lying west of the Tennessee river, and for other purposes.

Mr. Claiborne made a motion to amend the said bill by striking out so much as authorises McNairy county to appropriate its share of the internal improvement fund to the building of a court house in said county.

And the question being taken thereon, it was determined in the negative.

YEAS 17

NAYS 21

The yeas and nays being desired by the constitutional number of members.

Those who voted in the affirmative are.

Messrs. Speaker Huling, Allen, Carriger, Cheatham, Claiborne, Dew, Dobbins, Gordon, Holland, Hurst, Inge, Kincaid, Parris, A. E. Smith, Stephenson, Stockton and Wright.

Those who voted in the negative are,

Messrs. Boddie, Brown, Dickinson, Dunlap, Gillespie, Gowen, James Gray, Geo. Gray, Hatley, Hardin, Maury, McFarland, McGaughey, McLean, Nevins, Roberson, Joel R. Smith, Turney, Vernon, Watkins and Young.

Whereupon the said bill was read a third time, and last time passed and ordered to be engrossed.

A bill to distribute the surplus books in the secretary's office, and for other purposes,

Was read a third time and passed.

Ordered, that the clerk acquaint the Senate therewith.

Mr. McLean made a motion to reconsider the vote by which a bill to remove a cause from the supreme court at Jackson to the supreme court at Nashville was rejected.

And the question, being taken thereon

It was determined in the affirmative.

YEAS 27

NAYS 6

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative, are

Messrs. Speaker Huling, Allen, Boddie, Carriger, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Dunlap, Geo. Gray, Hatley, Hardin, Hurst, Inge, Kincaid, Maury, McFarland, McGaughey, McLean, Nevins, Parris, Roberson, A. E. Smith, Turney, Vernon and Wright.

Those who voted in the negative are,

Mr. Brown, James Gray, Holland, Stockton, Watkins and Young.

And so the said bill was reconsidered.

Whereupon the said bill was read a second time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill to extend the Lynchburg and New river rail road to Knoxville.

A bill for the benefit of William Mothershead.

A bill establishing a company to be called the Nashville Greys.

A bill to render the lands lying between Walker's line and the true line of north latitude 36° 30' subject to taxation.

A bill concerning the seat of justice in the county of Wayne.

A bill for the benefit of the heirs of Col John Tipton, late of the house of Representatives: and

A bill to authorise a division of the 1st regiment,

Were severally read a third time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The House took up

A bill to incorporate the subscribers to the Bank of Tennessee.

Mr. Brown offered an amendment in lieu of the 8th section of the bill, providing that the individual property of the stockholders, both real and personal, should be bound for the amount of their stock.

Which amendment was agreed to by the house.

Whereupon the said bill was read a second time.

And on the question, Shall the bill pass? it was determined in the affirmative.

YEAS 22

NAYS 12

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Boddie, Brown, Carriger, Claiborne, Gillespy, Gordon, Gowen, Geo. Gray, Hardin, Harly, Holland, Hurst, Inge, Kincaid, Maury, McLean, Nevins, Parris, Robertson, Joel R. Smith, Turney and Watkins.

Those who voted in the negative are,

Mr. Cheatham, Dickinson, Dunlap, Easley, James Gray, McFarland, McGaughey, A. E. Smith, Stockton, Vernon, Wright and Young.

Ordered, that the clerk acquaint the Senate therewith.

A bill to provide for the establishment of the southern boundary of this State,

Was read a second time and passed.

Ordered, That the clerk acquaint the Senate therewith.

A bill appropriating a sum of money to aid free persons of color to remove to Liberia, in Africa,

Was read a third time.

And on the question shall the bill pass? it was determined in the negative.

YEAS 10.

NAYS 24.

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Carriger, Cheatham, Claiborne, Dunlap, Gillespie, Hurst, Kincaid, Joel R. Smith, Wright and Young.

Those who voted in the negative are,

Messrs. Boddie, Brown, Dickinson, Easley, Gordon, Gowen, James Gray, George Gray, Hardin, Hatley, Holland, Inge, Maury, McFarland, McGaughey, McLean, Nevins, Parris, Roberson, A. E. Smith, Stockton, Turney, Vernon and Watkins.

And so the said bill was rejected.

A bill for the relief of R. P. Harrison, surveyor general of the 2nd district,

Was read a second time and rejected.

The House took up

A bill providing for the more faithful discharge of public trusts.

Mr. Boddie made a motion to postpone the said bill indefinitely.

And the question being taken thereon,

It was determined in the affirmative.

YEAS 19

NAYS 15

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Boddie, Brown, Carriger, Easley, Gillespie, James Gray, George Gray, Hardin, Hatley, Holland, Hurst, Inge, McFarland, McGaughey, Nevins, Roberson, A. E. Smith, Stockton, Watkins and Young.

Those who voted in the negative are,

Mr. Speaker Huling, Cheatham, Claiborne, Dickinson, Dunlap, Gordon, Gowen, Kincaid, Maury, McLean, Parris, J. R. Smith, Turney, Vernon and Wright.

And so the said bill was rejected.

The house took up

A bill to amend the laws in relation to slaves and free persons of color.

Mr. Kincaid made a motion to amend the said bill by striking out the first section thereof.

And the question being taken thereon,

It was determined in the negative.

YEAS 11

NAYS 22

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Easley, Gillespie, James Gray, Hardin, Hurst, Kincaid, McFarland, McGaughey, Stockton, Vernon, Wright and Young.

Those who voted in the negative are

Mr. Speaker Huling, Boddie, Brown, Carriger, Cheatham, Claiborne, Dickinson, Dunlap, Gordon, Gowen, George Gray, Hatly, Holland, Inge, Maury, Nevins, Parris, Roberson, A. E. Smith, J. R. Smith, Turney and Watkins.

Mr. Boddie offered an amendment in lieu of all the bill relating to patrollers.

And the question being taken on agreeing thereto,
It was determined in the negative.

YEAS 12

NAYS 20

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are

Messrs. Boddie, Dickinson, Gillespy, Gowen, Inge, Kincaid, McGaughey, Nevins, Roberson, A. E. Smith, Joel R. Smith, and Turney.

Those who voted in the negative are;

Mr. Speaker Huling, Brown, Carriger, Cheatham, Claiborne, Dunlap, Easley, Gordon, James Gray, George Gray, Hardin, Hatley, Holland, Maury, McFarland, Parris, Stockton, Vernon, Watkins, Wright and Young.

Whereupon the said bill was read a third time and passed.

Ordered, That the clerk acquaint the Senate therewith.

Mr. McFarland introduced the following resolution, to wit:

Resolved that one thousand copies of the report made by the President and Directors of the Bank of the State, of the over-checking and the names of the overcheckers in said bank, be printed for the use of this house.

And then the House adjourned.

SATURDAY, DECEMBER 17th, 1831.

Mr. Carriger, from the committee of enrolled bills, reported as truly enrolled,

An act to allow the sheriffs of Obion and Dyer counties longer time for the payment of certain taxes, and for other purposes.

An act to provide for the payment of the expenses incurred on the trial of Judge Haskell.

An act for the relief of the citizens of the town of Kingsport.

An act limiting prosecutions for misdemeanors.

An act for the benefit of James Childress.

An act for the relief of Jonas B. Liles, of Obion county.

An act relative to the registration of deeds and mesne conveyances.

An act to compensate Samuel G. Smith for services rendered and moneys expended in the service of the State.

An act supplemental to an act to appropriate the school lands

Fr2 House.

in the Hiwassee district to the use of schools, passed at the present session.

An act for the relief of Sandford and Mitchell.

An act to regulate the receiving of toll at Jetton's and Elliott's turnpike gate, at Sandy bridge, in Carroll county; and

A resolution appointing Justices of the Peace for Bedford, McMinn and Hardeman counties.

The Speaker signed the said acts and resolution.

Ordered, That the clerk acquaint the Senate therewith.

Mr. Nevins, from the committee on captains' companies and Justices of the Peace, reported

A resolution appointing Justices of the Peace for the counties of Rutherford, Jefferson and Henry.

And the question being taken on agreeing thereto,

It was determined in the affirmative.

Ordered, That the clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Easley introduced the following resolution, to wit:

Resolved by the General Assembly of the State of Tennessee, that the public printer for the State be directed to distribute the acts and journals of the present session of the General Assembly to each county on or before the first day of April next.

And the question being taken on agreeing thereto,

It was determined in the negative.

A bill for the relief of those who may have balances of land warrants unappropriated in the offices of the surveyors general south and west of the congressional reservation line.

A bill for the relief of William Kanard and others.

A bill to incorporate a company to open a turnpike road from Nashville to Harpeth river; amended on motion of Mr. McLean; and a bill to authorise the erection of turnpike bridges and causeways across the middle and little north forks and bottoms of Forked Deer river, in Gibson county,

Were severally read a second time and passed.

Ordered, That the clerk acquaint the Senate therewith.

A bill to provide for the payment of the unsatisfied claims adjudged valid for improvements made in the Hiwassee District,

Were read a second time.

And on the question, Shall the bill pass?

It was determined in the negative.

YEAS 16

NAYS 20

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Brown, Carriger, Claiborne, Gillespy, Hatley, Hardin, Holland, Hurst, Kincaid, McLean, Parris,

Stockton, Vernon, Wright and Young.

Those who voted in the negative are,

Mr. Boddie, Cheatham, Dew, Dickinson, Dobbins, Dunlap, Easley, Gordon, Gowen, James Gray, George Gray, Inge, Maury, McFarland, McGaughey, Nevins, Roberson, A. E. Smith, Stephenson, Turney and Watkins.

And so the said bill was rejected.

Whereupon Mr. Turney made a motion to reconsider the vote rejecting the said bill.

And the question being taken thereon, it was determined in the negative.

YEAS 12

NAYS 22

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Carriger, Gillespy, Hardin, Holland, Hurst, McLean, Parris, Stockton, Turney, Vernon, Wright and Young.

Those who voted in the negative are,

Mr. Speaker Huling, Boddie, Brown, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Dunlap, Easley, Gordon, James Gray, George Gray, Hatley, Inge, Maury, McFarland, McGaughey, Nevins, Roberson, A. E. Smith, Stephenson and Watkins.

The House took up

A bill to authorise a lottery for the purpose of building a bridge across roaring river, in Jackson county.

Mr. Nevins offered the following amendment in lieu of the whole bill after the words, "a bill," to wit:

"To amend an act entitled an act to authorise the drawing of a lottery to clear out the obstructions to navigation in Obeds river and to build a bridge across the same; passed November 29, 1831.

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, that Andrew Whitley, Leroy B. Settle and James T. Quarles be appointed commissioners in Jackson county, under the same rules, regulations and restrictions with those appointed by the first and second sections of the above recited act, and that the sum be twelve thousand dollars instead of ten thousand dollars, as contemplated by said act; and that the surplus thus authorised by this act be appropriated by the commissioners herein appointed to the building and keeping in repair a bridge across roaring river in Jackson county, at or near the mouth of said river, so as not to obstruct the ferry landing: And should the sum so raised be less than twelve thousand dollars, the commissioners herein appointed shall be allowed one third part of whatever sum they may be enabled to raise: and the said Andrew Whitley, Le-

roy B. Settle and James T. Quarles shall, before they enter upon the discharge of the duties herein assigned, enter into bond with good security as required by the act which this is intended to amend.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Whereupon,

The said bill was read a second time,

And on the question Shall the bill pass? it was determined in the negative.

YEAS 13

NAYS 21

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Brown, Claiborne, Dobbins, Dunlap, Easley, Geo. Gray, Hatley, Hurst, Kincaid, McLean, Nevins, Parris, Stockton, and Turney.

Those who voted in the negative are,

Mr. Speaker Huling, Boddie, Cheatham, Dew, Dickinson, Gillespy, Gordon, Gowen, James Gray, Hardin, Holland, Inge, Maury, McFarland, McGaughey, Roberson, A. E. Smith, Stephenson, Vernon, Watkins, Wright and Young.

And so the said bill was rejected.

A bill to compensate Charles F. Keith for services as commissioner in adjudicating claims for improvements in the Hiwassee district.

A bill making the bridge at Shelbyville toll free.

A bill to incorporate the Knoxville and Southern rail road company,

A bill for the benefit of Leonard Cardin of Monroe county,

A bill to provide for the payment of costs in the suit the State against Charles McNally,

A bill for the relief of John Rayborne,

A bill to amend an act entitled act to authorise Thos. Wheeler of Campbell county to open a turnpike road,

A bill for the benefit of John W. McGimsey and Flora McGimsey,

A bill to regulate the proceedings in chancery,

A bill to provide for the holding a chancery court in the town of Monroe,

A bill to authorise appeals from judgments for contempts,

A bill to compel the commissioners of the county seat of Monroe county to make settlement,

A bill to amend an act passed Oct. 9, 1817 regulating the town of Charlotte in Dickson county,

A bill declaratory of the law concerning contempts and for other purposes,

A bill to repeal part of an act passed January the 7th 1830 chapter 76.

A bill to amend an act for the relief of occupants south and west of the congressional reservation line,

A bill to explain and amend the law concerning executions issued by justices of the peace on attachments.

A bill to amend an act entitled an act to make entries liable to execution in the Hiwassee district,

A bill to incorporate the town of Williamsport in the county of Maury and to extend its limits,

A bill for the relief of Vredenburg Thompson of Jefferson county and for other purposes,

A bill to make lawful grants and entries within five miles of the narrows of Harpeth,

A bill for the relief of Lewis Ross,

And a bill regulating the return of writs to the Supreme court, Were severally read a second time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill to authorise collecting officers to make set offs in certain cases,

A bill to render freeholders and householders competent to sit on the trial of slaves,

A bill for the benefit of the methodist church in Perry county,

A bill to regulate the State tax on law suits,

A bill to grant a preference of entry for a meeting House and camp ground for the Methodist church,

A bill to appropriate the taxes arising from shows to bounty purposes,

A bill for the benefit of Wm. Lamb,

A bill to explain an act entitled an act more effectually to restrain the taking of excessive usury, passed November 13, 1819,

A bill to protect sheriffs, coroners and constables in the discharge of their duties,

A bill for the benefit of the regiment of cavalry attached to the 12th Brigade,

And a bill to increase the revenue of the different counties of this State,

Were severally read a second time and rejected.

A bill to amend an act entitled an act for the relief of executors and administrators, passed Dec. 31, 1829,

Was read a second time and passed.

Ordered, that the clerk acquaint the Senate therewith.

A bill to authorise the county court of Greene to grant to Robt. C. Gordon the privilege of erecting a toll bridge across Lick creek in said county,

Was taken up by the House.

Mr. Stockton offered an amendment to the said bill,

And the question being taken on agreeing thereto, it was determined in the negative.

YEAS 14

NAYS 18

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Brown, Dickinson, Dobbins, Dunlap, Gillespie, Hardin, Hurst, Nevins, Parris, Roberson, Stockton, Turney, Vernon, and Wright.

Those who voted in the negative are,

Mr. Boddie, Carriger, Cheatham, Claiborne, Easley, Gordon, Gowen, James Gray, Hatley, Holland, Inge, Maury, McFarland, McGaughey, A. E. Smith, Joel R. Smith, Watkins, and Young.

Whereupon,

The said bill was read a second time and passed.

Ordered, That the Clerk acquaint the senate therewith;

A bill to amend the laws incorporating the inhabitants of Alexandria, and for other purposes, and

A bill for the relief of the citizens of Carter, Fentress, Morgan and Anderson counties,

Were read a third time and passed.

Ordered that the clerk acquaint the Senate therewith.

Mr. McFarland made a motion to take up for consideration the resolution introduced by him on yesterday directing the printing of 1000 copies of the bank report giving a list of the overcheckers.

And the question being taken thereon, it was determined in the negative.

A bill to repeal the 112th section of the 69th chapter of the act of 1825, and to compel the officers and privates of volunteer companies to keep the public arms in good order,

Was read a second time.

And on the question Shall the bill pass? it was determined in the affirmative.

YEAS 18

NAYS 16

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Boddie, Carriger, Cheatham, Dew, Dickinson, Easley, Gillespie, Gordon, James Gray, Geo. Gray, Hurst, Maury, McFarland, Roberson, Stephenson, Stockton, Watkins and Wright.

Those who voted in the negative are,

Mr. Brown, Dobbins, Dunlap, Gowen, Hatley, Hardin Holland, Inge, McGaughey, McLean, Nevins, Parris, A. E. Smith, Turney, Vernon and Young.

Ordered, that the Clerk acquaint the Senate therewith.
A bill to abolish the chancery courts,
Was read a second time,
And on the question, Shall the bill pass? It was determined in the affirmative.

YEAS 24

NAYS 10

The yeas and nays being desired by the constitutional number of members.

Those who voted in the affirmative are,
Messrs. Boddie, Brown, Carriger, Cheatham, Dew, Dickinson, Easley, Gowen, James Gray, George Gray Hatley, Lardin, Hurst, Inge, McFarland, Nevins, Parris, Roberson, Alex. E. Smith, Stephenson, Stockton, Turney Vernon, Watkins, and Wright.

Those who voted in the negative are,
Messrs. Speaker Huling, Claiborne, Dobbins, Gillespie, Gordon, Holland, Maury, McGaughey, McLean, and Young.

Ordered, That the clerk acquaint the Senate therewith.
A bill to establish a circuit court for Davidson county,
A bill to divorce Anna Ball from her husband William Ball.
A bill for the benefit of John Brown.
A bill to furnish Major Charles Abel's volunteer company of cavalry in Lincoln county with swords and pistols.

A bill to raise \$20,000 by lottery to enable Jesse Allen to build a bridge across Caney Fork.

A bill for the relief of William Thompson and others.

A bill for the benefit of Thomas Adams and Bazil Rodgers; and

A bill to provide for the payment of the record books of the clerks of the supreme and chancery courts in this State,

Were severally a second time and rejected.

A bill to make legitimate Franklin Colburn, alias Enis.

A bill to release Gardner's turnpike from the payment of a State tax.

A bill authorising the establishment of fire companies.

A bill supplemental to an act passed at the present session to dispose of the forfeited land in the Hiwassee district.

A bill for the relief of the heirs of William W. Gant.

A bill for the benefit of William P. Stegald.

A bill for the relief of John Charlton and others.

A bill for the benefit of Susan R. Pistole.

A bill to change the names of, and make legitimate the persons therein named.

A bill concerning Indian reservations in the Hiwassee district; and

A bill to prevent the entry or settlement of lands lying south of Winchester's line,

Were severally read a second time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill to repeal an act passed in the year 1827, authorising Isaac and Lewis Miller to erect a mill dam on Clinch river; and

A bill concerning the taxation of costs in the supreme court,

Were severally read a third time and last time, passed and ordered to be engrossed.

A message from the Senate by Mr. Hill their clerk.

Mr. Speaker—

The Senate concur in your resolution appointing Justices of the Peace for the counties of Rutherford, Jefferson and Henry.

The Senate have adopted a resolution appointing a justice of the peace for Jackson county, and

A resolution appointing justices of the peace for the counties of Rhea and Hamilton.

I am directed to deliver to this House a report of the joint select committee on captains' companies and justices of the peace.

The Speaker of the Senate did this day sign enrolled bills of the following titles, to wit:

An act to distribute the infantry tactics for the use of the militia.

An act to authorise the commissioners of the Bean's station turnpike road to pay interest on certain money,

An act to amend the penal laws of this State,

An act authorizing letters of administration to be granted in certain cases,

An act for the benefit of John B. Rodgers and A. C. Rodgers of Fentress county,

An act to amend the laws in relation to Harris' turnpike road across Cumberland mountain,

An act to authorise the establishment of a town on the lands of Robert Robson in Hardeman county,

An act to prevent trespasses on school lands in Warren county,

An act for the benefit of the former jailor of Marion county,

An act for the benefit of James Dennen of Wilson county,

An act to tax retailers of spiritous liquors, and to appropriate the moneys arising therefrom to the use of common schools.

An act to compel owners of turnpike roads and toll bridges to keep the same in repair.

An act for the benefit of securities in cases of peace warrants,

An act for the relief of the securities of Joseph Stone,

An act to amend the laws now in force regulating the town of Jonesboro.

An act for the relief of Eliza Ditmore,

An act for the benefit of Isaac West, and for the encouragement of Iron works in the Western District. An act to amend an act to incorporate the Franklin turnpike company, and for other purposes; an act to regulate the practice on writs of Mandamus: an act to alter the line between Overton and Fentress counties: an act further to define and extend the jurisdiction of Justices of the Peace: an act for the benefit of Azer Wyly: an act for the relief of James Johnson: an act for the relief of Anny Wherry: an act for the relief of Dempsey Corbett and others: an act to repeal part of an act entitled an act to make two regiments by a division of the 5th regiment: an act to authorise Andrew Taylor, jr. to build a fish trap: an act for the relief of Charles McNally, of McMinn county: an act for the benefit of Thomas Travis, of Fentress county: an act for the relief of James H. Mosely; and an act for the benefit of the estate of Robert V. McGimsey.

And then he withdrew.

Whereupon the Speaker signed the said acts.

Ordeed, That the clerk deposite the same in the office of the Secretary of State.

And the question being taken on agreeing to the resolutions contained in said message,

It was determined in the affirmative.

Ordered, That the clerk acquaint the Senate therewith.

A bill to extend the operation of the laws of this State over that portion of the State included within the bounds of the Cherokee Nation in certain cases and under certain restrictions: and a bill prescribing the duties of sheriffs in certain cases, and for other purposes,

Were severally read a second time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill for the relief of William Anderson, clerk of the Sullivan circuit court: a bill to authorise the counties of Robertson, Montgomery and Dickson to take appeals to the supreme court at Nashville: a bill for the relief of Larkin H. Bowling of Anderson county: a bill for the relief of Wesley Simmons and others: a bill to incorporate the Columbia Female Academy, and for other purposes: a bill for the benefit of John McCrosky, former sheriff of Monroe county: a bill for the benefit of John Walters of Smith county: a bill for the relief of Thomas Fite and Jephtha Billingsly; and a bill to establish a board of internal improvement for the counties therein named, and for other purposes,

Were severally read a third time and last time, passed and ordered to be engrossed.

A bill to amend the law relative to the trial of Slaves,

Was read a third time and rejected.

The House took up

GG HOUSE.

A resolution to appoint trustees for the University of Nashville.

And the question being taken on agreeing thereto,

It was determined in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith, and ask their concurrence therein.

On motion of Mr. Dunlap,

The House took up the resolution introduced by him on the 14th inst. requesting the members of Congress from this State to endeavor to have the proceeds of the public lands made a permanent fund for the promotion of education in the several States.

And the question being taken on agreeing thereto, it was determined in the affirmative.

YEAS 19

NAYS 14

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Boddie, Dew, Dickinson, Dunlap, Easley, Gordon, Gowen, Holland, Hurst, Kincaid, McFarland, McGaughy, McLean, Nevins, Stephenson, Stockton, Vernon and Young.

Those who voted in the negative are,

Mr. Brown, Carriger, Cheatham, Claiborne, Gillespy, James Gray, Gorge Gray, Hatley, Inge, Parris, Roberson, Turney, Watkins and Wright.

Ordered, That the clerk acquaint the Senate therewith, and ask their concurrence therein.

A bill to establish a board of internal improvement for the counties of Giles, Lincoln, Franklin and Ruthersford: a bill to regulate the fees of clerks and masters in equity in this State: a bill to regulate warehouses: a bill to authorise a division of the different regiments in certain cases: a bill for the benefit of Henry Lightfoot and Joseph Hodge: a bill for the benefit of Richard Rushing and Anderson Smith: a bill for the relief of Samuel Hunt, late sheriff of Washington county: a bill for the relief of William Polk: a bill to provide for the establishment of the southern boundary line of this State: a bill to reduce the fees of clerks for receiving and recording an account current rendered by a guardian: a bill to regulate the fees of clerks: a bill concerning trustees, and a bill to incorporate the Memphis rail road company,

Were severally read a third time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill to amend the laws authorising persons to sell groceries which they have purchased with produce,
 Was read a second time and rejected.
 A bill for the benefit of McNairy county,
 Was read a third time,
 And on the question 'Shall the bill pass?
 It was determined in the negative.

YEAS 15

NAYS 20

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Carriger, Dunlap, Gillespy, Gordon, Hatly, Hardin, Holland, Kincaid, McLean, Parris, A. E. Smith, Stephenson, Stockton, Turney and Vernon.

Those who voted in the negative are,

Mr. Speaker, Huling, Boddie, Brown, Cheatham, Claiborne, Dew, Dickinson, Easley, Gowen, James Gray, Hurst, Inge, Maury, McFarland, McGaughey, Nevins, Roberson, Watkins, Wright and Young.

And so the said bill was rejected.

A bill for the benefit of the heirs of William Chenault,

Was read a third time and rejected,

A bill to establish a board of internal improvement for the mountain district: a bill for the benefit of Lucinda Allen; and a bill for the benefit of Nathan Haggard, of White county,

Were severally read a third time and last time, passed and ordered to be engrossed.

A bill for the relief of William Thompson and others: a bill to compel guardians to give new securities in certain cases: a bill prescribing the duties of sheriffs in relation to the call of a convention: and a bill for the benefit of the executors and legal representatives of Robert Henry Dyer, dec'd.

Were severally read a second time and passed.

Ordered that the clerk acquaint the Senate therewith.

A bill to change the time of holding the county courts of Washington county,

Was read a third time, amended on motion of Mr. Turney and Mr. James Gray, and passed.

Ordered, that the clerk acquaint the Senate therewith.

A message from the Senate by Mr. Hill their clerk.

Mr. Speaker,

The Speaker of the Senate did this day sign enrolled bills of the following titles, to wit:

An act for the benefit of Thomas L. Gray of Haywood county: an act for the benefit of Thomas H. Fletcher and Dempsey Powell: an act to amend an act incorporating the town of Bolivar:

an act to authorise George W. Wood to open a turnpike road: an act for the benefit of Joseph Dwyer: an act supplemental to an act to authorise William Reynolds to open a turnpike road across Paint Mountain: an act to amend the Judiciary system of the State of Tennessee; and resolutions appointing Justices of the Peace for the counties of Hamilton, Rhea and Jackson.

And then he withdrew.

When the Speaker signed the said acts and resolutions.

Ordered that the clerk deposite the same in the office of the Secretary of State.

The house took up

A bill requiring the acts of the General Assembly of a public nature to be bound, and for other purposes.

Mr. McLean offered an amendment in lieu of the second section of the bill, providing, among other things, that there should be four copies of the private acts distributed to each county.

Mr. Easley made a motion to amend the amendment by striking out the words 'four copies,' for the purpose of inserting in lieu thereof the words 'one copy for each captain's company.'

Mr. McGaughey made a motion to amend the amendment proposed by Mr. Easley by striking out the word 'one,' for the purpose of inserting in lieu thereof the word 'two;' which amendment to the one offered by Mr. Easley, was agreed to.

Whereupon the question was taken on agreeing to the amendment proposed by Mr. Easley as amended,

And determined in the negative.

YEAS 14

NAYS 19

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Easley, Gillespy, James Gray, Hatley, Holland, Hurst, McFarland, McGaughey, Nevins, A. E. Smith, Stephenson, Stockton, Turney and Vernon.

Those who voted in the negative are,

Mr. Speaker Huling, Boddie, Brown. Carriger, Cheatham, Claiborne, Dew, Dunlap, Cowen, George Gray, Hardin, Inge, Maury, McLean, Parris, Roberson, Watkins, Wright and Young.

Mr. Dunlap then made a motion to amend the amendment proposed by Mr. McLean, by striking out the words 'four copies,' for the purpose of inserting in lieu thereof the words 'one copy for each captain's company.'

And the question being taken on Mr. Dunlap's motion,

It was determined in the negative.

YEAS 16

NAYS 17

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Dunlap, Easley, Gillespie, Jas. Gray, Hatley, Holland, Hurst, McFarland, McGaughey, Nevins, Parris, A. E. Smith, Stephenson, Stockton, Turney and Vernon.

Those who voted in the negative are,

Mr. Speaker Huling, Boddie, Brown, Carriger, Cheatham, Claiborne, Dew, Gowen, George Gray, Hardin, Inge, Maury, McLean, Roberson, Watkins, Wright and Young.

On motion of Mr. Brown,

The word 'four' was stricken out of said amendment, and the word 'six' inserted in lieu thereof.

Whereupon the question was taken on agreeing to the amendment proposed by Mr. McLean as amended,

And determined in the affirmative.

When the said bill was read a second time, further amended on motion of Mr. Dunlap, and passed.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Hurst introduced the following resolution, to wit:

Resolved, by the General Assembly of the State of Tennessee, that the treasurer of East Tennessee suspend the further collection of the debt due from Samuel McConnell to the State; provided the same be made and kept secure, and subject to the disposition of a future legislature.

And the question being taken on agreeing thereto,

It was determined in the negative.

YEAS 4

NAYS 28

The yeas and nays being desired by the constitutional number of members,

The affirmative vote was,

Mr. Hurst.

Those who voted in the negative are,

Mr. Speaker Huling, Boddie, Brown, Carriger, Cheatham, Claiborne, Dew, Dunlap, Easley, Gillespy, Gowen, Jas. Gray, George Gray, Hatley, Inge, Maury, McFarland, McGaughey, Parris, Roberson, A. E. Smith, Stephenson, Stockton, Turney, Vernon, Watkins, Wright and Young.

A bill to encourage the manufacture of salt; and a bill to authorise the clerk of the circuit court of Fentress county to keep his office at his own house,

Were read a second time and rejected.

The house took up

A bill to establish a chancery court at Knoxville and Athens.

Mr. Vernon made a motion to amend the said bill by adding thereto the following section, to wit:

GG2 House.

Be it enacted that the counties of Marion and Bledsoe be hereafter attached to what is now called the Kingston district; and that the chancery court now held at Kingston be hereafter held at Washington, in Rhea county.

And the question being taken on agreeing thereto,
It was determined in the negative

YEAS 11

NAYS 19

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Speaker Huling, Boddie, Cheatham, Dunlap, Gowen, Hurst, Parris, Roberson, A. E. Smith, Vernon and Wright.

Those who voted in the negative are,

Messrs. Brown, Carriger, Claiborne, Dew, Easley, Gillespie, James Gray, George Gray, Hatley, Inge, Maury, McFarland, McGaughey, Nevins, Stephenson, Stockton, Turney, Watkins and Young.

Mr. Wright made a motion to amend the said bill by striking out the word 'Athens,' for the purpose of inserting in lieu thereof the word 'Madisonville.'

And the question being taken thereon, it was determined in the affirmative.

Mr. Stockton made a motion to postpone the said bill indefinitely,

And the question being taken thereon it was determined in the negative.

Whereupon the said bill was read a second time,

And on the question, 'Shall the bill pass?' it was determined in the affirmative.

YEAS 22

NAYS 8

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Speaker Huling, Boddie, Brown, Carriger, Cheatham, Claiborne, Dew, Dunlap, Gillespie, Gowen, James Gray, George Gray, Hatley, Hurst, McGaughey, Nevins, Parris, A. E. Smith, Stephenson, Turney, Wright and Young.

Those who voted in the negative are,

Messrs. Easley, Inge, Maury, McFarland, Roberson, Stockton, Vernon and Watkins.

Ordered, that the Clerk acquaint the Senate therewith.

The house took up

A bill to revive and amend the act of 1830 establishing a system of common schools.

Mr. Easley made a motion to amend the said bill by striking

out the words 'fifty dollars,' as the lowest sum which the school commissioners should be authorised to loan, for the purpose of inserting in lieu thereof the words 'twenty five dollars.'

And the question being taken thereon,

It was determined in the negative.

Whereupon the said bill was read a second time and passed.

Ordered, that the clerk acquaint the Senate therewith.

And then the house adjourned.

MONDAY, DECEMBER 19th, 1831.

The two houses assembled in the hall of this house for the purpose of going into the several elections set apart for this day, and on collecting and counting out the ballots on the several ballotings for the different officers, it appeared that the following persons were duly elected to fill the following offices to wit:

John Catron of Davidson county, Chief Justice of the Supreme court of this State.

Nathan Greene of Franklin county a Judge of the Supreme Court of this State,

R. C. Foster Sr. Joseph Woods and Moses Ridley, Inspectors of the Penitentiary,

Eastin Morris President of the Bank of the State of Tennessee,

Nicholas Hobson Cashier of the Bank of the State of Tennessee,

William Williams, Willoughby Williams, James Barrett, S. G. Smith, Ewd. D. Hicks, and Enoch P. Connell, Directors of the Bank of the State of Tennessee.

Whereupon,

The Speaker and members of the Senate withdrew.

Mr. Carriger, from the committee for enrolled bills, reported as truly enrolled,

An act for the relief of Joseph P. Nealy and Jane C. nealy—an act for the relief of Wm Anderson—an act to provide for the circulation and preservation of the Journals of Congress, and for other purposes—an act to authorize the commissioners of the Western district turnpike road to rescind the contract existing between said commissioners and John Thomas Jr. and for other purposes—an act to authorize the counties of Roberson Montgomery and Dickson to take appeals to the Supreme court at Nashville—An act for the relief of Nathan Haggard and Nimrod Dodson—an act to amend the militia laws—an act for the relief of Wesly Simmons and others—an act to establish a board of Internal Improvement for the mountain district—an act to establish

boards of Internal Improvement in the Western District.

An act for the benefit of John McCrosky former Sheriff of Monroe county;

An act to amend an act to establish turnpike bridges in the Western District.

An act for the relief of Thos. Fite and Jephtha Billingsly—an act to repeal an act authorising Isaac and Lewis Miller to erect a mill dam on Clinch river—an act for the relief of Larkin H. Bowling—an act for the benefit of John Walters and others—an act concerning the taxation of costs in the Supreme court—an act to incorporate the Columbia female academy—an act for the benefit of Lucinda Allen—an act for the relief of Miller Isbell and others—and a resolution appointing Justices of the Peace for the counties of Rutherford, Jefferson and Henry.

The Speaker signed the said acts.

Ordered, that the clerk acquaint the Senate therewith,

Mr. Alexander E. Smith introduced

A resolution appointing a justice of the peace for Cocke county, and

Mr. Young introduced

A resolution to go into the election of all officers to be elected by the General Assembly at the present session on Tuesday the 20th inst. at 3 o'clock P. M.

And the question being taken on agreeing to the said resolution,

It was determined in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith, and ask their concurrence therein.

The House took up the report of the select committee on captains' companies and Justices of the Peace.

Which was read at the Clerk's table, and is as follows to wit:

The joint Select committee to whom was assigned the duty of ascertaining the number of justices of the peace in this State, and the number of circuit and county court Clerks, with the view to the distribution of Haywood & Cobb's Revisal under the act of 1827, chap. 93, beg leave to report as follows, to wit:

No. counties.	Counties.	No. Justices.	Clerks.	No. 1st Vol.	No. counties.	Counties.	No. Justices.	Clerks.	No. 1st Vol.
1	Anderson,	19	2	21	32	Lawrence,	33	2	35
2	Blount,	35	2	37	33	Lincoln,	83	2	85
3	Bedford,	97	2	99	34	Madison,	43	4	45
4	Bledsoe,	25	2	27	35	Montgomery	31	2	33
5	Carroll	41	2	43	35	Morgan,	15	2	17
6	Cocke,	19	2	21	37	Maury,	89	2	91
7	Carter,	29	2	31	38	Marion,	21	2	23
8	Campbell,	17	2	19	39	McMinn,	53	2	55
9	Claiborne,	41	2	43	40	Monroe,	51	2	53
10	Dickson,	25	2	27	41	McNairy,	33	2	35
11	Davidson,	71	3	73	42	Obion,	17	2	19
12	Dyer,	17	2	19	43	Overton,	37	2	37
13	Fayette,	25	2	27	44	Perry,	33	2	35
14	Franklin,	51	2	53	45	Roane,	37	3	39
15	Fentress,	19	2	19	46	Rhea,	31	2	33
16	Greene	49	3	49	47	Robertson,	39	2	41
17	Gibson,	35	2	37	48	Rutherford,	79	2	77
18	Grainger,	41	2	43	49	Sullivan,	35	2	37
19	Giles,	55	2	57	50	Sevier,	19	2	21
20	Humphries	29	3	31	51	Stewart,	23	2	25
21	Haywood,	25	2	27	52	Smith,	59	3	59
22	Hickman,	35	2	37	53	Sumner,	51	2	53
23	Hamilton,	17	2	17	54	Shelby,	25	2	27
24	Henderson,	33	2	35	55	Tipton,	27	2	29
25	Hardeman,	37	3	39	56	Weakly,	25	2	25
26	Henry,	39	3	41	57	Wilson,	69	2	71
27	Hawkins,	51	3	53	58	Williamson,	61	2	63
28	Hardin,	25	2	27	59	Wayne,	33	2	35
29	Jackson,	42	2	43	60	Warren,	47	3	49
30	Jefferson,	39	2	39	61	Washington,	27	3	30
31	Knox,	41	4	41	62	White,	43	3	45

1183

1324

1183

Total number of 1st Volume,

2504

N. B. There are to be for each county 2 copies of the 2d Volume.

Which report was concurred in by the House.

Mr. Brown presented a communication from Nathan Greene accepting the appointment of Judge of the Supreme court and resigning the office of Chancellor.

Which was read, and

Ordered, to be transmitted to the Senate.

A bill for the benefit of Mitchell and Banks; was read a second time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill to regulate the proceeding in chancery—a bill to amend an act for the relief of occupants south and West of the Congressional reservation line—a bill for the benefit of Leonard Carden—a bill to authorise the erection of turnpike bridges & causeways across the middle and little north forks and bottom of Forked Deer river—a bill to incorporate the Knoxville and Southern rail road company—a bill to provide for the payment of the costs in the suit the State vs. Charles McNally—a bill making the bridge at Shelbyville toll free—a bill to compensate Charles F. Keith—a bill for the benefit of Jno. W. McGimsey and Flora McGimsey, a bill to amend an act for the relief of executors and administrators—a bill to authorise Greene county court to grant to Robt. C. Gordon the privilege of erecting a toll bridge across Lick creek—a bill to amend the laws incorporating the town of Alexandria, and for other purposes—a bill for the relief of those who may have balances of land warrants unappropriated in the offices of the Surveyors General south and west of the congressional reservation line—a bill for the benefit of the regiment of cavalry attached to the 12th brigade of Tennessee militia; a bill to repeal part of an act passed Jan. 7, 1830, chap. 76; a bill to amend an act regulating the town of Charlotte; a bill to incorporate the town of Williamsport; a bill to amend an act to make entries liable to execution in the Hiwassee district; a bill for the relief of Vrodenburgh Thompson; a bill to make lawful grants and entries within five miles of the Narrows of Harpeth; a bill to compel the commissioners of the county seat of Monroe county to make settlement; a bill to provide for holding a chancery court in Monroe and Overton counties; a bill to provide for holding a chancery court at Knoxville and Madisonville; a bill prescribing the duties of Sheriffs in certain cases, and for other purposes; a bill for the relief of John Rayborne, a bill to explain and amend the law concerning executions issued by a justice of the peace on attachments, and a bill declaratory of the law concerning contempt, and for other purposes;

Were severally read a third time, and last time passed and ordered to be engrossed.

A bill to protect the estates of orphans and for other purposes,

Was read a third time and rejected.

The house took up a bill to repeal a part of the 55 th section of an act to reform and amend the penal laws of the State of Tennessee.

Mr. Brown made a motion to amend the said bill by adding thereto the following sections, to wit:

Be it enacted, that all laws and parts of laws punishing the crime of petit larceny, when hereafter committed, by confinement in the Penitentiary of this State, be and the same are hereby repealed, and all such offences when committed after the passage of this act, shall be punished in the same manner as before the penal code as revised and amended in 1829, chap. 23, went into operation, except as to the infliction of stripes.

Be it enacted, that hereafter visitors to the penitentiary shall be admitted under such rules and regulations as shall be prescribed by the board of inspectors.

And the question being taken on agreeing thereto, it was determined in the negative.

YEAS 16

NAYS 20

The yeas and nays being desired by the constitutional number of members.

Those who voted in the affirmative are,

Messrs. Allen, Brown, Easley, Gillespie, Gordon, James Gray, Hatley, Hardin, Holland, McGaughey, Nevins, A. E. Smith, Joel R. Smith, Vernon, Wright and Young.

Those who voted in the negative are,

Messrs. Speaker Huling, Boddie, Carriger, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Dunlap, Gowen, Geo. Gray, Hurst, Inge, McFarland, McLean, Parris, Stephenson, Stockton, Turney and Watkins.

Whereupon,

The said bill was read a second time,

And on the question Shall the bill pass? it was determined in the affirmative.

YEAS 21

NAYS 15

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Allen, Brown, Dew, Dickinson, Dunlap, Easley, Gillespie, Gordon, James Gray, Hatley, Hardin, Holland, Inge, McGaughey, Nevins, A. E. Smith, J. R. Smith, Stephenson, Vernon, Wright and Young.

Those who voted in the negative are,

Mr. Speaker Huling, Boddie, Carriger, Cheatham, Claiborne, Dobbins, Gowen, Geo. Gray, Hurst, McFarland, McLean, Parris, Stockton, Turney and Watkins.

Ordered, That the Clerk acquaint the Senate therewith.

A bill to establish a circuit court of law and equity for the county of Davidson,

Was read a third time,

And on the question, shall the bill pass?

It was determined in the negative.

YEAS 13

NAYS 21

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Brown, Carriger, Claiborne, Dunlap, Hardin, Inge, Kincaid, Maury, McLean, Parris, A. F. Smith, and Turney.

Those who voted in the negative are,

Mr. Boddie, Cheatham, Dew, Dobbins, Easley, Gillespy, Gordon, James Gray, Geo. Gray, Hatley, Holland Hurst, McFarland, McGaughey, Nevins, Joel R. Smith, Stephenson, Stockton, Vernon, Watkins and Wright.

And so the said bill was rejected.

A bill for the relief of the heirs of Thomas Alsup, dec'd. and a bill for the relief of William Thompson and others,

Were read a third time and passed.

Ordered, that the clerk acquaint the Senate therewith

A bill to authorise appeals from judgments for contempts,

Was read a third time.

Mr. Vernon made a motion to postpone the said bill indefinitely,

And the question being taken thereon,

It was determined in the affirmative.

YEAS 28

NAYS 9

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Speaker Huling, Allen, Boddie, Carriger, Cheatham, Dobbins, Easley, Gillespie, Gordon, James Gray, George Gray, Hatley, Hardin, Hurst, Maury, McFarland, McGaughey, McLean, Nevins, Parris, Roberson, Alex. E. Smith, Joel R. Smith, Stephenson, Stockton, Vernon, Watkins and Young.

Those who voted in the negative are,

Mr. Brown, Dew, Dickinson, Dunlap, Gowen, Holland, Inge, Turney and Wright.

And so the said bill was rejected.

A bill to do justice to the several counties in this State in which school land is situated,

Was read a second time and rejected.

A bill to authorise Elizabeth Kenner to sell certain lands; and

A bill concerning the troop of cavalry at Pulaski,

Were severally read a second time and passed.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Dunlap introduced the following resolution, to wit:

Resolved by the General Assembly of the State of Tennessee, that the Governor of this State be requested to transmit to the Governor of the State of Virginia, a copy of the act extending the Lynchburg and New river rail road to Knoxville and west thereof: That he furnish the Governor of the States of Mississippi and Alabama, each with a copy of the act incorporating the Memphis rail road company; and that he transmit a copy of the act incorporating the Knoxville and Southern rail road company to each of the Governors of Georgia, South Carolina and North Carolina.

And the question being taken on agreeing thereto,

It was determined in the affirmative.

Ordered, that the clerk acquaint the Senate therewith, and ask their concurrence therein.

A bill to repeal an act to create a new militia company in Wilson county: A bill for the benefit of Matthew McClannahan; and a bill to change the names of, and make legitimate, the persons therein named,

Were severally read a third time and passed.

Ordered, That the clerk acquaint the Senate therewith.

A bill for the benefit of David Weir, of Carroll county,

Was read a third time and rejected.

The House took up

A bill to incorporate the subscribers to the bank of Tennessee,

Mr. Brown made a motion to amend the bill by striking out Knoxville as the site for the Principal Bank.

And the question, being taken thereon

It was determined in the affirmative.

YEAS 20

NAYS 14

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative, are

Messrs. Speaker Huling, Boddie, Brown, Carriger, Cheatham, Claiborne, Dew, James Gray, Geo. Gray, Hatley, Inge, Maury, McLean, Nevins, Parris, Roberson, J. R. Smith, Turney and Watkins.

Those who voted in the negative are,

Mr. Dunlap, Easley, Gillespy, Gowen, Holland, Hurst, McFarland, McGaughey, A. E. Smith, Stephenson, Stockton, Vernon, Wright and Young.

Whereupon the said bill was read a third time

In House.

And on the question Shall the bill pass? it was determined in the affirmative.

YEAS 21

NAYS 15

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Boddie, Brown, Carriger, Claiborne, Dobbins, Gillespie, Gowen, Geo. Gray, Hatley, Hardin, Holland, Inge, Maury, McLean, Parris, Roberson, Joel R. Smith, Stephenson, Turney and Watkins.

Those who voted in the negative are,

Mr. Allen, Cheatham, Dew, Dunlap, Easley, James Gray, Hurst, McFarland, McGaughey, Nevins, A. E. Smith, Stockton, Vernon, Wright and Young.

Ordered, that the clerk acquaint the Senate therewith.

A bill to prevent the entry or settlement of lands lying south of Winchester's line,

Was read a third time.

And on the question, Shall the bill pass? it was determined in the affirmative.

YEAS 28

NAYS 4

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Huling, Allen, Boddie, Brown, Carriger, Cheatham, Dew, Dunlap, Gillespie, James Gray, Geo. Gray, Hardin, Inge, Maury, McFarland, McGaughey, Nevins, Parris, Roberson, A. E. Smith, Joel R. Smith, Stephenson, Stockton, Turney, Vernon, Watkins, Wright and Young.

Those who voted in the negative are,

Mr. Easley, Gowen, Hatly and Holland.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Carriger, from the committee for enrolled bills, reported as truly enrolled,

A resolution appointing a Justice of the Peace for Cocke county.

The Speaker signed the said resolution.

Ordered, That the clerk acquaint the Senate therewith.

A bill to amend an act to authorise Thomas Wheeler to open a turnpike road,

Was read a third time and last time, passed and ordered to be engrossed.

A message from the Senate by Mr. Hill their clerk.

Mr. Speaker—

The Senate have adopted a resolution rescinding

the one providing for an adjournment of the General Assembly, *sine die*, on this day, and proposing that the two houses shall adjourn without day on Wednesday the 21st inst. in which they ask your concurrence.

The Speaker of the Senate did this day sign enrolled bills of the following titles, to wit:

An act to incorporate the Memphis rail road company: an act to amend the laws authorising each county to establish and control a poor house: an act for the relief of Peter North: an act to reduce the fees of clerks for recording an account current rendered by a guardian, an act to alter the time of holding the regimental muster in the 112th regiment: an act to distribute the surplus books in the Secretary's office, and for other purposes: an act to extend the Lynchburg and New river rail road to Knoxville: an act to authorise a division of the 1st regiment: an act concerning trustees: an act regulating warehouses: an act for the benefit of William Mothershead: an act to distribute the infantry tactics for the use of the militia: an act concerning free persons of color, and for other purposes; and an act for the relief of the citizens of Carter, Fentress, Morgan and Anderson counties.

And then he withdrew.

The Speaker signed the said acts.

Ordered, That the clerk deposite the same in the office of the Secretary of State.

Whereupon the question was taken on agreeing to the resolution contained in said message;

And determined in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith.

A bill to incorporate a company for opening a turnpike road from Nashville to the top of the ridge near Elijah Robertson's, & for other purposes: a bill to extend the north boundary line of the town of Lebanon: a bill authorising Jesse Lincoln & co. to open a turnpike road: a bill directory to the treasurer of the Western District: a bill for the benefit of Gabriel Foulkes: a bill regulating the return of writs to the supreme court: a bill to provide the means by which the existence and locality of Matthews' line is to be established: a bill to appoint a Geologist, Mineralogist and Assayer for this State: a bill to change the time of holding battalion musters in the 22nd regiment: a bill prescribing the duties of sheriffs in relation to the call of a convention, and for other purposes: and a bill for the benefit of Susan R. Pictole.

Were severally read a third time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A bill to divorce Delaney Mitchell from her husband and for

other purposes, and a bill to authorise Alexander Dagan to open and keep up a turnpike road.

Were read a second time and rejected.

The House took up

A bill for the benefit of William P. Stegald and others.

Mr. Hardin offered an amendment to the said bill, which was agreed to by the House.

Mr. Cheatham made a motion to re-consider the vote by which the amendment proposed by Mr. Hardin was adopted:

And the question being taken thereon,

It was determined in the negative.

YEAS 10

NAYS 20

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Boddie, Brown, Cheatham, Dew, Eastly, Gillespy, Gowen, Inge Maury, and Young.

Those who voted in the negative are

Mr. Speaker Huling, Carriger, James Gray, George Gray, Hatly, Hardin, Holland, McFarland, McGaughey, Nevins, Parris, Roberson, A. E. Smith, J. R. Smith, Stephenson, Stockton, Turney, Vernon, Watkins and Wright.

Whereupon the said bill was read a third time,

And on the question, Shall the bill pass? It was determined in the affirmative.

YEAS 16

NAYS 14

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Speaker Huling, Carriger, Dew, James Gray, Hatley, Hardin, Holland, McFarland, McGaughey, Nevins, Parris, Roberson, J. R. Smith, Stockton, Turney and Vernon.

Those who voted in the negative are,

Messrs. Boddie, Brown, Cheatham, Eastly, Gillespie, Gowen, Geo. Gray, Inge, Maury, Alex. E. Smith, Stephenson, Watkins, Wright and Young.

Ordered that the clerk acquaint the Senate therewith.

A bill for the benefit of the executors and legal representatives of Robert Henry Dyer, dec'd.

Was read a third time,

And on the question, Shall the bill pass?

It was determined in the negative.

YEAS 8

NAYS 22

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Dunlap, Gillespy, Holland, Joel R. Smith, Turney, Vernon, Wright and Young.

Those who voted in the negative are,

Mr. Speaker Huling, Boddie, Brown, Carriger, Cheatham, Dew, Gowen, James Gray, George Gray, Hatley, Hardin, Inge, Maury, McFarland, McGaughey, Nevins, Parris, Roberson, A. E. Smith, Stephenson, Stockton and Watkins.

And so the said bill was rejected.

A message from the Senate by Mr. Hill their clerk.

Mr. Speaker.

The Senate have adopted a resolution concerning the vacant and unappropriated land south and west of the congressional line; and a resolution concerning the academy money chargeable to the Bradley academy in Rutherford county, in which they ask your concurrence.

And then he withdrew.

Whereupon the question was taken on agreeing to the first resolution contained in said message.

And determined in the negative.

Ordered, That the clerk acquaint the Senate therewith.

On motion of Mr. Dunlap, the vote rejecting a bill for the benefit of Henry Sample; and a bill for the benefit of Thomas Adams and Basil Rogers, was reconsidered.

And then the House adjourned.

TUESDAY, DECEMBER 20th, 1831.

Mr. Carriger, from the committee on enrolled bills, reported as truly enrolled,

An act to explain and amend the law concerning executions issued by Justices of the Peace on attachments: an act to provide for the payment of costs in the suit, the State vs. Charles McNally: an act concerning the law of contempts and for other purposes: an act to repeal part of an act to compel owners of mills west of Tennessee river, to cut down and remove standing or decaying timber in their mill ponds: an act for the relief of those who may have balances of land warrants unappropriated in the offices of the several Surveyors south and west of the Congressional line: an act to equalize the tax on merchants: and a resolution to authorize the appointment of a surveyor and commissioners to run and mark the southern boundary line of this State.

Mr. McFarland presented a certificate of the Clerk of the Coun-

HH2 House.

ty Court of Jefferson county, of the establishment of a new militia company in said county.

Ordered, That said certificate lie on the table.

Mr. Nevins, from the committee on cantains' companies and Justices of the Peace, reported;

A resolution appointing Justices of the Peace for the counties of McNairy and Lincoln.

And the question being taken on agreeing thereto,

It was determined in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Gordon from the committee on land claims made a report upon the petition of Jarrott M. Huddleston, and the resolution therein contained was concurred in by the house as follows, to wit:

Resolved, that the prayer of the petitioner ought not to be granted.

A bill for the benefit of Wm. B. Loftin and others: a bill to amend an act entitled an act to amend the penal law of the State; a bill for the relief of John Charlton and others; a bill to legitimate Franklin Colburn; a bill to compel certain persons to pay for the use and occupation of land in certain cases: a bill to repeal the 112th section of the 69th chapter of the acts of 1825: a bill for the relief of the heirs of William W. Gant: a bill authorising the establishment of fire companies; and a bill for the encouragement of salt works,

Were severally read a third time and passed.

Ordered, That the clerk acquaint the Senate therewith.

A bill to amend the registration laws of this State, and for other purposes,

Was read a third time,

And on the question shall the bill pass! it was determined in the affirmative.

YEAS 20

NAYS 16

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are

Mr. Speaker Huling, Allen, Boddie, Brown, Cheatham, Claiborne, Dew, Dickinson, Dunlap, Gillespy, Gordon, Gowen, James Gray, Holland, Maury, Nevins, A. E. Smith, Joel R. Smith, Turney and Watkins.

Those who voted in the negative are,

Messrs Carriger, Dobbins, Easley, George Gray, Hatley, Hardin, Hurst, Inge, McFarland, McGaughey, Parris, Roberson, Stephenson, Stockton, Vernon, Wright and Young.

Ordered, That the Clerk acquaint the Senate therewith.

The House took up

the Senate's preamble and resolutions concerning the exercise of certain powers by the General Government.

And the question being taken on concurring therein,

It was determined in the affirmative.

Ordered, that the clerk acquaint the Senate therewith.

Mr. McLean introduced

A resolution appointing David Weir, Wm. B. Dickinson and John Tidwell justices of the peace for Madison county.

And the question being taken on agreeing thereto, it was determined in the negative.

The House took up

The Senate's resolution concerning the academy money chargeable to the Bradly academy in Rutherford county.

And the question being taken on agreeing thereto, it was determined in the affirmative.

Ordered, That the Clerk acquaint the senate therewith;

A bill to repeal part of the 55th section of the penal laws of this state; and a bill to compel guardians to give new security in certain cases,

Were read a third time and last time, passed and ordered to be engrossed.

A bill to amend the revenue laws; and a bill to appropriate one half of the state tax to county purposes.

Were read a second time and rejected.

Ordered, That the clerk acquaint the Senate therewith.

Mr. Maury introduced a resolution directory to the President and directors of the Bank of the State—which was adopted by this House.

Ordered, That the clerk acquaint the Senate therewith, and ask their concurrence therein.

A message from the Senate by Mr. Hill their clerk,

Mr. Speaker—

The Senate concur in your resolution requesting the Governor of this State to transmit copies of certain acts to the Governors of other States.

And in your resolution to go into the elections to be made at the present session on the 20th inst. at 3 o'clock, P. M.

The Speaker of the Senate did this day sign enrolled bills of the following titles, to wit:

An act for the benefit of Isaac Low and D. C. Chamberlain; an act to amend an act to authorise Moses Fisk to open a turnpike road; an act to provide for the taking of the enumeration of the free male inhabitants of the State; an act to incorporate a female academy in the county of Rhea; an act for the benefit of William Gibson; an act for the encouragement of salt works; an act authorizing Hasting Poe and Asahel Rawlings to open a turnpike road; an act to authorize females to obtain divorces in court with-

out cost; an act to change the time of holding the supreme court at Jackson; an act to regulate the fees of clerks; an act to incorporate the Somerville female academy; an act for the benefit of Richard Rushing and Anderson Smith; an act for the relief of Samuel Hunt late sheriff of Washington county; and an act to alter the time of holding the county courts in Washington county.

I am directed to deliver to the House of Representatives a report of the committee on the boundary line between the States of Kentucky and Tennessee—and the report of the committee of finance on their settlement with the different Treasurers of this State.

The Senate concur in your resolutions, directory to the President and directors of the bank of the State, referring warrant No. 393 to the Secretary of State for adjudication—and appointing justices of the peace for McNairy county.

And then he withdrew.

Whereupon,

The report of the committee of finance was read at the clerk's table, and is as follows, to wit:

A.
Statement of Revenue received by the Treasurer of the Western Department for the years
1829 and 1830.

1829.

[illegible]

1830.

Carroll,	667 26	40 03	295 28	331 95	627 23	914 59	131 12		1,045 60	26 13	1,019 58			646 81
Dyer,	419 42	25 16	194 31	199 95	394 26	283 83			283 83			283 83	220 68	683 94
Fayette,	696 20	41 77	281 39	373 04	654 43	1,110 19	172 95		1,283 13	32 07	1,251 07			1,905 49
Gibson,	597 54	35 85	263 45½	298 24	561 69	448 75	71 47		520 22	12 99	507 23			1,068 92
Hardeman,	833 45	50 00	359 06	424 39	783 45	1,180 47	193 48		1,373 96	34 34	1,339 61			2,123 07
Henderson,	365 43	23 72	162 35½	209 35½		459 06	40 00		499 06	12 47	486 59	395 44	371 71	858 29
Henry,	815 12	48 90	305 56	460 66	766 22	1,061 20	143 93	21 84	1,226 97	30 69	1,196 31			1,962 53
Hardin,	235 41	14 12	96 54½	124 74½		267 73	86 06		353 79	8 84	344 95	335 41	221 29	566 24
Haywood,	546 72	32 80	227 35	285 57	513 92	441 00	30 54		471 54	11 78	459 76			973 68
McNairy,	172 14	10 32	75 27	86 55	161 82	273 95	89 00		362 95	8 90	354 04			515 86
Madison,	981 15	58 86	398 40	523 89	922 29	1,270 15	66 70	25 75	1,362 60	34 05	1,328 55			2,250 84
Obion,	260 32	15 61	122 35½	122 35½	244 71	267 85	30 70					298 55	304 67	549 38
Perry,	247 80	14 86	108 01	124 93	232 94	453 69	21 50		475 19	11 87	463 22			696 16
Shelby,	619 76	37 18	265 76½	316 52½	582 29	1,184 04	23 98		1208, 01	30 19	1,177 82			1,760 12
Tipton,	394 35	23 66	174 77	195 92	370 69	876 35	13 87		890 22	22 26	867 97			1,238 65
Weakly,	363 17	21 79	157 68	183 70	341 38	250 85	49 50		300 35	7 49	292 86			634 24
	8,245 24	494 63	3,487 53	3,069 09	7,156 61	10,744 70	1,164 80	47 59	11,687 42	234 06	11,089 55	1,213 22	1,187 35	19,434 22
														19,434 22

41,239 82

Statement of revenue disbursed by the Treasurer of the Western Department for 1829 and '30.

Judges.	Solicitors.	Revenue pd to count's	Criminal prosecutions	Militia.	Wolf scalps.	County com'oners	Miscella- neous	Treas'ers com'isions	
7,475 00	1,062 50	3,487 53	3,379 97	128 00	874 00	272 50	3,798 94	1,132 56	21,611 00

Paid over to the Treasurer of West Tennessee balance of revenue unappropriated,

19,628 82

B

Statement of Revenue received by the Treasurer of East Tennessee for the years 1829 and 1830.

Names of COUNTIES	Original amount paid by Sheriffs	By clerks of county courts.	By clerks of circuit courts.	By clerks of up'me & chan. c'ts.	Total am't p'd by c's	Jud'men's not coll'd.	Jud'ments collected	Mis'neous expenses.	Total am't for 1829-'30.
Knox,	1,436 29	789 91	42 29	52 53	884 73				
Sullivan,	630 87	643 06	33 70		676 76				
Bledsoe,	338 12	206 51	130 40		336 91				
Rhea,	458 97	258 46	19 63		278 09				
Blount,	575 31	296 58	170 91		467 49				
Greene,	747 50	478 52	95 50	28 53	602 55				
Roane,	632 85	293 79	55 95	7 31	357 05				
Hawkins,	709 03	447 78	28 61	12 80	4 9 19				
Monroe,	643 56	520 43	63 86		584 29				
Washington,	605 75	379 70	65 53		445 23				
Grainger,	347 55	270 65	22 43		292 08				
Sevier,	255 73	321 36	17 07		338 43				
Carter,	268 84	256 12	21 94		278 06		402 75		
M' Minn,	836 10	943 14	102 8		1,046 03		900 67		
Jefferson,	564 08	381 29	27 68		408 97				
Chaborn,	354 36	397 08	29 92		427				
Anderson,	269 16	108 60	14 14		122 74		326 30		
Campbell,	274 9	169 60	11 89		181 49		595 26		
Hamilton,	94 82	63 23	5 61		68 84				
Marion,	169 07	559 73	6 26		465 99		94 67		
Morgan,	82 87	22 82	14 07		36 89		43 75		
Cocke,	346 51	134 91	9 78		144 69		504 55		
	10,642 23	7,943 27	990 00	101 17	9,034 50		2,967 95		2,254 6

TREASURER OF EAST TENNESSEE.

E.P.

To amount of monies received for Highways law,
Colleges and Academies for the years 1829 and 1830,
Common Schools do.

To balance due Treasurer on this statement for 1829-30.

\$94,083 29
11,383 23
2,838 33
\$108,304 85
1,348 74
\$109,653

By receipts from Jas. Campbell Cashier,
 Robert King's receipts,
 Henry Ewing's receipt,
 Receipts of sundry Agents,
 Commissions &c.
 Paid for printing and expense in sales of land,
 Paid certificates for improvements,

Contra.

Knox,	923 10	1,010 02	50 47	105 06	1,165 55
Sullivan,	335 18	647 64	31 96		679 60
Bledsoe,	210 02	271 95	83 82		355 77
Rhea,	262 38	727 91	23 93		751 84
Blount,	301 71	238 59	49 70		288 29
Greene,	431 43	440 54	89 81	14 62	445 27
Roane,	326 59	309 20	48 38	7 31	364 89
Hawkins,	379 29	449 22	31 10	47 66	527 97
Monroe,	349 24	494 69	132 05		6.6 24
Washington,	321 68	367 31	46 39	2 50	416 20
Grainger,	190 17	355 87	12 25		368 12
Sevier,	141 84	271 92	14		285 62
Carter,	142 66	251 80	31 14		282 94
M'Minn,	461 77	940 59	73 13		1,013 72
Jefferson,	299 64	401 21	26 31		427 50
Claiborne,	197 65	351 68	52 50		404 18
Anderson,	161 32	167 61	17 46		185 07
Campbell,	150 49	207 28	83 60		290 88
Hamilton,	54 94	167 80	17 80		185 60
Marion,	119 19	636 80	90 17		726 97
Morgan,	56 95	108 17	21 01		129 18
Cocke,		136 97	40 37		177 34
	5,817,24	8,954 77	1,067 35	177 44	10,199 56

320 51 16,016 80

Statement of Revenue disbursed by the Treasurer of East Tennessee for the years 1829 and 1830. 38,561 48

Judges	Solicitors.	Criminal Prosecutions	Militia.	Wolf Scalps.	County com-missions	Miscellane-ous	Treasurer's com-missions & salary	
11,575	2,455 55	6,123	244 36	699	1,144 77	5,139 84	1,356 63	28,738 15.

The Treasurer is entitled to a credit as stated on account of lands &c. of

By this amount paid Treasurer of West Tennessee,

1,348 74
 30,086 89
 8,474 59
 38,561 87

\$90,602 97
 10,667 55
 199 12
 974 99
 3,206 04
 151 50
 3,848 92
 \$109,653

C
Statement of Revenue received by the Treasurer of Middle Tennessee for the years
1829 and 1830.

II HOUSE.

Names of COUNTIES.	Original am't rendered by Sheriffs	By clerks of county courts	By clerks of circuit courts.	By clerks of supreme and chancery c'ts	Total amount paid by cl'ks	Judgments not collected	Judgments collected.	Miscellaneous expenses	Total amount for 1829 '30.
Davidson,	2,317 54 3 4	5,229 76	341	331 62 1-2	5,902 38 1-2				
Sumner,	1,777 06	1,722 01	188 38 3 4		1,910 39 3-4				
Robertson,	1,049 48 1-2	339 38 3-4	36 37 1-2		375 76 1-4				
Montgomery,	1,204 06 1-4	998 69 1-2	88 86 1-4		1,186 95 3 4				
Williamson,	2,214 84 1-2	2,251 35	437 87	95	2,784 22				
Rutherford,	1,700 82	1,206 20 3-4	244 32 3-4		1,250 53 1 2				
Wilson,	1,661 61	1,299 22 1-2	113 68 3-4		1,412 91 1 4				
Smith,	1,323 33	625 04 2-4	51 17	28 12 1-2	704 34 1-4				
Jackson,	514 38 1-2	24 95 3 4	28 79 1-2		323 75 1 4				
Overton,	441 12 1-4	253 59 3-4	56 40 1 2		3 9 99 3-4				
White,	514 13 3-4	293 14 3-4	77 76 1-2	72 12 1-2	443 03 3 4				
Dickson,	501 18 3-4	302 23 1-2	117 37 1-2	44 87 1-2	464 48 1 2				
Stewart,	530 40 1-2	445 68	92 65		538 33				
Humphreys,	322 57 1-2	415 66 3 4	71 22 1-2	64	550 89 1-4				
Hickman,	400 71 1-4	451 74 1-2	51 42 1-2		513 21				
Maury,	1,734 36 1-2	1,925 11	191 74 1-2	25	2,141 85 1-2				
Bedford,	1,569 16 3 4	1,504 25	154 05		1 658 30				
Giles,	1,196 50 3-4	1,035 64 3-4	259 06 1 4		1,294 71	172 71			
Lincoln,	1,239 28 1-2	1,421 79	269 08 1-2		1,690 87 1-2				
Franklin,	875 41	1,590 60	90 51 1-4		1,681 11 1-4				
Warren,	685 08	505 36 1-4	103	20	628 36 1-4				
Wayne,	193 18	235 18	79 54 1-2		314 72 1-4				
Lawrence,	199 45	319 18 3-4	67 03		386 21 1-4				
Fentress,	95 72 3 4	65 15 1-4	21 83 1-2		86 99				
	24,434 16	24,541 02 3-4	3,232 58 3 4	680 75	28,454 36 1-2	172 71	4,685 58		
deduct comm	1,466 04				711 35				
	22,968 12				27,743 01 1-2		4,685 58		55,396 71 1-2

Davidson,	1,422 19	5,306 54 1-2	547	226 62 1-2	6,080 17			
Sumner,	928 78	1,655 69 3-4	413 93 3-4		1,979 63 1-2			
Robertson,	591 98	463 91 3-4	38 08		501 39 3-4			
Montgomery,	708 39	1,163 18 1-4	96 59 1-2		1,259 74 3-4			
Williamson,	1,267 98	2,037 81 3-4	227 62 1-2	88 50	2,353 94 1-4			
Rutherford,	724 40	878 36 1-2	384 46		1,262 82 1-2			
Wilson,	899 83	1,564 71	115 05 1-2		1,679 76 1-2			
Smith,	633 86	1,361 34 1-2	31 09 3-4	25	1,417 44 1-4			
Jackson,	207 80	385 43 3-4	47 25 3-4		432 69 1-2			
Overton,	238 09	214 37 3-4	25 31 1-2		239 69 1-4			
White,	282 80	235 37 1-4	80 18 3-4	49 20 1-4	364 76 1-4			
Dickson,		259 92 1-4	48 87 1-2	21 25	330 04 3-4	272 87		
Stewart,	309 89	540 93	78 93 3-4		619 86 3-4			
Humphreys,	186 51	310 50	53 62 1-2	233 62	597 74 1-2			
Hickman,	226 09	556 66 1-2	37 12 1-2		593 79			
Maury,	1,035 43	2,306 72	378 18 3-4	37 66	2,722 56 3-4			
Bedford,	794 11	1,559 72 1-2	155 94 1-4		1,715 67			
Giles,		1,509 31 1-2	216 92 1-2		1,726 24			
Lincoln,		1,442 50	143 48		1,585 98			
Franklin,	544 34	581 70 3 4	25 96 1-2		1,607 67 1-4	767 15		
Warren,	398 53	487 35	36 62 1-4	75 59	599 56 1-4	636 68		
Wayne,	114 18	171 23 1-4	147 28 1-2		318 51 3-4			
Lawrence,	125 23	398 73	79 11 3-3		477 84 3-4			
Fentress,	60 75	74 93 3-4	10 72		85 65 3-4			
	11-701 16	26,376 37 1-4	3,419 42	757 44 3-4	30,553 24	1,708 70		
deduct comm	702 06				763 83			
	10,999 10				29,789 41			
								40,788 51
								96,185 22 1-2

Revenue paid over by the Treasurer of East Tennessee,
Do. of Western District,

Balance of revenue in the hands of the treasurer at last settlement,

8,474 59

19,628 82

57,467 40

85,570 81

181,756 03 3-4

Amount brought forward,

Statement of Revenue disbursed by the Treasurer of West Tennessee for the years 1829 and 1830.

Legislature.	Trials of Wil- liams & Haskell.	Executive	Judges	Attorney General	Militia	Public prin- ters.	Criminal pros- ecutions.	County com- missions.	Enume- t . . .	Sheriff's releases	Wolf Scalp	Miscella- neous.	Treasurer's comm's.	
39,353 10	1,622 09 12	5,687 50	26,954 60	1,909	336 52	12,445 18	13,538 89 1-4	495 00	31 86	3,343 98	1,103 00	9,237 42 3-4	2885 55	118,733 70 1-2
Balance in the hands of the Treasurer,														63,022 33

151,756 03 1-2

The speaker signed the acts contained in said message.

Ordered, That the Clerk deposite the same in the office of the Secretary of State.

Ordered, That the report of the committee on the Kentucky line, lie on the table.

The House took up

A bill requiring the public acts to be bound, and for other purposes.

Mr. Maury made a motion to amend the said bill by striking out the words "one copy of the private acts for each captain's company," for the purpose of inserting in lieu thereof the words "six copies for each county."

And the question being taken thereon, it was determined in the negative.

YEAS 15

NAYS 24

The yeas and nays being desired by the constitutional number of members.

Those who voted in the affirmative are,

Mr. Huling, Boddie, Cheatham, Claiborne, Dew, Dickinson, Dobbins, Gordon, Gowen, Inge, Kincaid, Maury, McLean, Watkins and Wright.

Those who voted in the negative are,

Mr. Allen, Brown, Carriger, Dunlap, Easley, Gillespy, James Gray, George Gray, Hatley, Hardin, Holland, McFarland, McGaughey, Nevins, Parris, Roberson, Rogers, A. E. Smith, Joel R. Smith, Stephenson, Stockton, Turney, Vernon, and Young.

Whereupon the said bill was read a third time and passed.

Ordered, That the clerk acquaint the Senate therewith.

Mr. Carriger, from the committee of enrolments, reported as truly enrolled,

An act to change the time of holding the supreme court at Sparta, & for other purposes: an act prescribing the duties of sheriffs in certain cases & for other purposes; an act to amend an act to authorise John Wheeler to open a turnpike road: an act for the relief of John Rayburn: an act for the benefit of John W. P. McGimsey and Flora McGimsey: an act establishing a chancery court at Knoxville and at Madisonville: an act establishing a board of internal improvement therein named, and for other purposes: an act to amend an act incorporating the Big Hatchie company: a resolution referring warrant No. 393 for adjudication: a resolution directory to the President and Directors of the bank of the state: and a resolution appointing Justices of the Peace for McNairy county.

The speaker signed the said acts and resolutions.

Ordered, that the clerk acquaint the Senate therewith.

The house took up

A bill concerning Indian reservations in the Hiwassee district.

Mr^r Dunlap made a motion to amend the said bill by adding thereto the following section, to wit:

Be it enacted that the clerk of the circuit court of Knox county shall send the original papers, if they have been filed, otherwise a full transcript thereof; but in all cases said clerk shall send the original depositions.

And the question being taken on agreeing thereto,

It was determined in the negative.

Whereupon, --

The said bill was read a third time and last time, passed and ordered to be engrossed.

A bill for the benefit of Thomas Adams and Basil Rodgers,

Was read a second time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill to release Gardner's turnpike from the payment of a state tax: a bill to declare Knobb creek navigable: a bill supplemental to an act to dispose of the forfeited lands in the Hiwassee district: a bill to amend an act to compel owners of mill dams on Little Pigeon river, to put slopes therein: a bill to repeal part of an act passed January 13, 1830: a bill to authorise Austin Gresham to sell a certain slave: a bill to divorce Elizabeth Linn: a bill for the benefit of James O. K. Wood: a bill to amend an act prescribing the mode of making partition of lands: a bill establishing the town of Battavia in Carroll county: a bill for the relief of the 77th regiment: and a bill to authorise John Martin and John B. Perkins to build a bridge across Caney Fork,

Were severally read a third time and passed.

Ordered, that the Clerk acquaint the Senate therewith.

A bill for the benefit of Mitchell and Banks,

Was read a third time and last time, passed and ordered to be engrossed.

A bill for the benefit of garnishees,

Was read a third time and rejected,

A message from the Senate by Mr. Hill their clerk.

Mr. speaker,

The senate concur in your resolution appointing Justices of the Peace for Lincoln county.

They have adopted a resolution directery to the secretary of state, in which they ask your concurrence.

And then he withdrew.

Whereupon the question was taken on agreeing to the resolution contained in said message,

And determined in the affirmative.

Ordered, That the clerk acquaint the senate therewith.

Mr. Kincaid introduced

A resolution appointing a Justice of the Peace for Bedford county, which was adopted by the House.

12 House.

Ordered that the clerk acquaint the senate therewith, and ask their concurrence therein.

A bill to compensate John C. Haley and John Haley,
Was read a second time and passed.

Ordered that the clerk acquaint the senate therewith.

Mr. Dew introduced the following resolution, to wit:

Resolved that the thanks of this General Assembly be expressed to the Justices of the worshipful court of Pleas and Quarter sessions of Davidson county, for their compliment to the state, of the third story of the court house. in which our deliberations have been conducted, and that the secretary of state transmit a copy of this resolution to the clerk of said court at the next session thereof.

And the question being taken on agreeing thereto, it was determined unanimously in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith, and ask their concurrence therein.

A bill to authorise Elizabeth Kenner to sell certain lands,
Was read a third time and rejected.

A message from the Senate by Mr. Hill their clerk.

Mr. Speaker,

The senate concur in your resolution appointing a Justice of the Peace for Wayne county, and a Justice of the Peace for Bedford county; also in your resolution of thanks to the county court of Davidson county: they nonconcur in your resolution rescinding the appointment of Thomas James, as a Justice of the Peace for Madison county:

They have adopted a resolution directory to the register of the western district, in which they ask your concurrence.

The speaker of the Senate did this day sign enrolled bills of the following titles, to wit:

An act to extend the benefits of an act passed Dec. 20, 1829, chap. 40.

An act to authorise Peter N. Smith to sell or dispose of a certain tract of land and slaves for the benefit of the heirs of James Scott, dec'd.

An act to repeal an act to create a new militia company in Wilson county; and

An act to repeal the 112th section of the act of 1825, chap. 69.

And then he withdrew.

The speaker signed the said acts.

Ordered, That the Clerk deposite the same in the office of the Secretary of State.

Whereupon.

The question was taken on agreeing to the resolution contained in said message,

And determined in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. A. E. Smith from the joint select committee appointed to wait on the Governor and inform him that the two Houses were about to adjourn without day, and know of him whether he had any further communication to make to the General Assembly,

Reported, that the committee had performed that service, and that the Governor answered he had no further communication to make to the General Assembly, and that the Governor had through the committee tendered to the members of the General Assembly and through them to their constituents his kind wishes for their health and happiness.

Mr. Dickinson introduced the following resolution, to wit:

Resolved, That when the General Assembly shall adjourn without day, it will adjourn to meet at the town of Murfreesboro, in the county of Rutherford.

Ordered, That said resolution lie on the table until tomorrow.

Mr. Carriger from the committee for enrolled bills, reported as truly enrolled,

An act for the relief of Vredenburg Thompson; an act to amend an act regulating the town of Charlotte in Dickson county; an act to amend the laws incorporating the town of Alexandria; an act to create a board of internal improvement for Giles, Lincoln and Franklin counties; an act to compel guardians to give new security in certain cases; an act making the bridge at Shelbyville toll free; an act to repeal part of the 55th section of an act to amend the penal laws of this State; an act to amend an act to make entries liable to execution in the Hiwassee district; and an act for the relief of Mitchell and Banks.

The Speaker signed the said acts.

Ordered, that the clerk acquaint the Senate therewith.

The two Houses assembled in the hall of this house for the purpose of going into the elections set apart for this day, and on collecting and counting out the ballots on the different ballotings, it appeared that the following persons were duly elected to fill the following offices, to wit:

Wm. B. Reese Chancellor for the eastern division of this State;

Thos. Crutcher, Treasurer of middle Tennessee;

Geo. S. Yerger, reporter of the State of Tennessee.

Whereupon,

The Speaker and members of the Senate withdrew

A bill for the benefit of the commissioners appointed to superintend the erection of bridges across Doe river in Carter county,

Was read a second time,

And on the question Shall the bill pass? it was determined in the negative.

YEAS 8

NAYS 20

The yeas and nays being desired by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Cariger, Gillespy, Hardin, Inge, McFarland, Parrie, Roberson, J. R. Smith.

Those who voted in the negative are,

Mr. Allen, Boddie, Cheatham, Dew, Dobbins, Easley, Gordon, James Gray, Geo. Gray, Holland, Hurst, Maury, McGaughey, Nevins, Stephenson, Stockton, Turney, Vernon, Watkins and Wright.

And so the said bill was rejected.

A bill to amend an act establishing a system of common schools in this State,

Was read a third time and last time, passed and ordered to be engrossed.

Mr. Easley made a motion that 1000 copies of said bill be printed for the use of this house.

Which was decided in the negative.

Mr. McLean introduced

A resolution rescinding the appointment of Thomas James as a Justice of the Peace for Madison county.

Which was agreed to by the House.

Ordered, that the Clerk acquaint the Senate therewith, and ask their concurrence therein.

And then the house adjourned.

WEDNESDAY, DECEMBER 21st, 1831.

Mr. McGaughey introduced the following resolution, to wit:

Resolved that the thanks of this house be presented to the Hon. Frederick W. Huling for the assiduity, ability and impartiality with which he has administered the duties of the chair during the present session.

And the question being put by the clerk on agreeing thereto,

It was determined unanimously in the affirmative.

Whereupon the Speaker rose and addressed the House as follows:

"Gentlemen of the House of Representatives,

Whoever shall reach this chair, flattering himself that his perplexing duties can be fulfilled with-

out the frequent occurrence of humiliating disappointments, in the course of his administration; will find that he has drawn upon his talents and ingenuity, for more than he can honor. He must ultimately, seek a cover for his many imperfections, beneath the charitable feelings of those over whose deliberations he presides.

It is, gentlemen, beneath this mantle, my errors are so kindly shaded. I accept the compliment as flowing more from your personal attachments, than from any merits of mine. I only regret that my services, though most honestly devoted, have not been so valuable, as I could myself have desired them; they have however been administered with an eye single to the good of our common constituents, and a desire that they should prove acceptable to you. It is under this conviction, that I receive with acknowledgments the commendations thus politely bestowed upon me. I shall ever bear it in recollection, and trust, that the future, when we shall meet here again, may challenge for me a portion of the praise now bestowed, as it were, in advance. Having closed the public labors that brought us hither, you will presently, gentlemen, return to your families and your friends, and I hope to the renewed approbation and the smiles of your honored constituents. If the latter knew but half as well as I do, how much and how faithfully you have endeavored to anticipate their desires and to meet them, they would not fail to tender you the only reward the public man should ask for—the increased confidence and regard of his countrymen.

If my humble testimony could reach their ears, I would gladly assure them, as well I might, that any supposed omissions on your part, proceeded from the weakness of our nature, and not the settled purpose of the heart; and I would most earnestly bespeak their forgetfulness, as you have forgiven my imperfections. I commend you gentlemen, again, to their kindness, and invoke for you individually, from a higher Source, that prosperity and happiness, which can alone bless the enjoyments of life."

A message from the Senate by Mr. Hill their clerk.

Mr. Speaker,

The Senate have adopted a resolution directory to the President and Directors of the old bank of the State, in which they ask your concurrence.

And then he withdrew.

Whereupon the house took up the said resolution,

And the question being taken on agreeing thereto,

It was determined in the affirmative.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Carriger, from the committee of enrollments, reported as truly enrolled,

An act to compensate John C. Haley and John Haley—an act

to encourage the manufacture of salt—an act for the relief of the persons therein named—an act to appropriate one half of the State tax to county purposes—an act prescribing the duties of sheriffs in relation to the call of a convention, and for other purposes—an act to amend an act for the relief of occupants south and west of the congressional line—an act for the benefit of Leonard Cardin and Absalom Looney—an act to regulate the proceedings in chancery—an act to authorise Greene county to authorise Robert C. Gordon to erect a toll bridge across Lick creek—an act to incorporate the town of Williamsport in the county of Maury—an act to compel the commissioners of the county seat of Monroe county, to make settlement—an act to amend the revenue laws of this State—an act to compensate Charles F. Keith—an act for the benefit of a regiment of cavalry attached to the 12th brigade—an act to make lawful grants and entries within five miles of the narrows of Harpeth—an act concerning Indian reservations in the Hiwassee District—and an act to establish a chancery court in Overton and Giles counties—and a resolution relative to the public lands of the United States.

The Speaker signed the said acts and resolution.

Ordered, that the clerk acquaint the Senate therewith

A message from the Senate by Mr. Hill their clerk,
Mr. Speaker,

The Speaker of the Senate did this day sign enrolled bills entitled,

An act to authorise M. H. Howard and others to build a mill—an act to make legitimate Franklin Colburn—an act to divorce Elizabeth Linn—an act to establish Matthews' line—an act for the benefit of Susan R. Pistole—an act to include the residence of John Andrews in Giles county—an act to declare Knob creek navigable—an act directory to the Treasurer of the Western District—an act for the benefit of Henry Lightfoot and Joseph Hodge—an act to extend the north boundary of the corporation of Lebanon—an act to change the time of holding battalion musters in the 22nd regiment—an act concerning the seat of Justice in Wayne county—an act for the benefit of William P. Steagald—an act to compel certain persons to pay for the occupation of land in certain cases—an act for the benefit of Gabriel Foulkes—an act for the benefit of James Young, of Sparta—an act to render the lands lying between Walker's line and the true line of north $36^{\circ} 30'$ subject to taxation—an act for the relief of Matthew McClanahan—an act authorising a division of the different regiments—an act for the benefit of the heirs of John Tipton—an act to incorporate the subscribers to the bank of Tennessee—an act to divorce Henry Anderson from his wife—an act supplemental to an act providing for the leasing of school lands in Middle Tennessee, and for other purposes—an act to release Gardner's

turnpike from the payment of a State tax—an act providing for the removal of obstructions in Elk river—an act to prevent the entry or settlement of lands lying south of Winchester's line—an act for the relief of Lewis Ross—an act authorising the establishment of fire companies—an act for the relief of William Carter—an act authorising the Secretary of State to receive and file for adjudication certain certificates—an act to change the names of, and make legitimate, the persons therein named—an act establishing a company to be called the Nashville Greys—an act for the relief of William Thompson, and others—an act extending the corporation laws of Kingston—an act to incorporate a certain turnpike company—an act for the relief of the heirs of Thomas Alsup, deceased—an act for the relief of William Polk—an act to ascertain the southern boundary of this State—a resolution in relation to the exercise of certain powers by the General Government—a resolution directory to the register of the Western District—a resolution directory to the Secretary of State—and a resolution concerning the academy money chargeable to Bradley academy in Rutherford county.

The Speaker signed the said acts and resolutions.

Ordered that the clerk deposite the same in the office of the Secretary of State.

Mr. Boddie introduced the following resolution, to wit:

Resolved by the General Assembly of the State of Tennessee, That the Secretary of State be directed, and it is hereby made his duty, to take possession of the hall of the House of Representatives and the chamber of the Senate, together with the furniture of the two houses, and that he cause the same to be carefully preserved for the use of the State.

Which resolution was adopted by the House and concurred in by the Senate.

A message from the Senate by Mr. Hill their clerk.

Mr. Speaker,

The Speaker of the Senate has this day signed an enrolled bill entitled,

An act to repeal the act of 1827, chap. 37, and for other purposes.

The Speaker of the House signed the said enrolled bill.

Ordered that the clerk deposite the same in the office of the secretary of state.

Mr. Dunlap introduced the following resolutions, to wit:

The General Assembly of the state of Tennessee believe that the central situation of this state to the south and west and north-west, points it out as the most eligible and suitable place for the erection of a Western Armory:

Therefore,

Resolved that John Thompson be appointed to examine, sur-

vey and report to the congress of the United States and the Executive thereof, the claims which the narrows of Harpeth river have for the location of the Western Armory.

Resolved, that Return J. Meigs be appointed to examine and report to the Congress of the United States and the executive, the advantages political and otherwise which are presented for the location of a Western Armory at or near the place at which the Tennessee river passes through the Chilhowie mountain, or any other place which he may deem worthy of notice.

Resolved, that Thomas Edmonson be appointed to examine all the advantages presented for the location of the Western Armory at or near the Pactolus on the Holston or any other place, and report the same to the Congress of the United States and the Executive thereof.

And the question being taken on agreeing thereto,

It was determined in the negative.

A bill making an appropriation of money to defray the expenses of the first session of the 19th General Assembly.

Was read a third time, and last time passed and ordered to be engrossed.

A message from the Senate by Mr. Hill their Clerk.

Mr. Speaker,

The Speaker of the Senate did this day sign enrolled bills of the following titles, to wit:

An act to amend the laws of this State in relation to the government of slaves and free persons of color; an act to authorise John Martin and others to build a bridge across Caney Fork; an act for the benefit of James O. K. Wood; an act establishing the town of Batavia in the county of Carroll; an act regulating the return of writs to the Supreme court; an act to repeal part of an act passed 13th Jan. 1830; an act for the benefit of the Memphis hospital; an act for the relief of the 77th regiment, T. M. an act to appoint a geologist, mineralogist and assayer for the State of Tennessee; an act supplementary to an act passed at the present session of the General Assembly to dispose of the forfeited lands in the Hiwassee district; an act to amend an act to compel owners of mill dams on little Pigeon river to put slopes therein; an act to authorise Austin Gresham to sell a certain slave; an act to authorise David G. Shelton to build a mill dam on Sequatchee river; an act to regulate the fees of the Clerks and Masters in Equity in this State; an act for the relief of Sally Hopson of Claiborne county; an act to amend the registration laws and for other purposes; an act to amend an act entitled an act to amend the laws now in force prescribing the mode of making the partition of lands, passed October 26th 1799; an act requiring the acts of a public and general nature of the present General Assembly, to be bound; and a resolution directory to the president and directors of the Bank of the State of Tennessee.

The Speaker of the House of Representatives signed the said enrolled acts and resolution.

Ordered, that the Clerk deposite the same in the office of the Secretary of State;

Mr. Carriger, from the committee on enrolled bills reported the following bills truly enrolled:

An act to incorporate the Knoxville and Southern rail road company; an act to authorise the erection of turnpike bridges in Gibson county;

An act to amend an act for the relief of executors and administrators.

An act making an appropriation to defray the expenses of the first session of the 19th General Assembly;

An act to revise and mend the act establishing common schools.

The Speaker signed the said enrolled bills.

Ordered, that the Clerk acquaint the Senate therewith.

A message from the Senate by Mr. Hill their Clerk.

On motion of Mr. Inge,

Ordered that six thousand copies of the said report be printed for the use of the members of this house.

A bill concerning a troop of cavalry at Pulaski in Giles county,

Was read a third time and last time, passed and ordered to be engrossed.

The house took up

The resolution introduced on yesterday by Mr. Dickinson, providing for the meeting of the next session of this General Assembly at Murfreesboro.

Mr. Cheatham made a motion to postpone said resolution indefinitely,

And the question being taken thereon,

It was determined in the affirmative.

YEAS 20

NAYS 16

The yeas and nays being desired by the constitutional number of members.

Those who voted in the affirmative are.

Mr. Speaker Huling, Allen, Boddie, Brown, Carriger, Cheatham, Claiborne, Dew, Easley, Gillespie, Gordon, James Gray, Geo. Gray, Hatley, Inge, McLean, Nevins, Roberson, Rogers, Joel R. Smith, and Watkins.

Those who voted in the negative are,

Messrs. Dickinson, Dobbins, Dunlap, Gowen, Hardin, Holland, Hurst, Kincaid, Maury, McFarland, McGaughey, Parris, A. E. Smith, Stephenson, Stockton, Turney and Vernon.

And so the said resolution was rejected.

The House took up

JJ House.

The report of the committee on the academy fund.

Which was read at the clerk's table, and the resolution therein contained was concurred in by the House; the said report and resolution are as follows, to wit:

The committee appointed to ascertain the amount of the academy fund, and what the amount due to each of the counties of this state, at this time, have performed the duty required of them, and beg leave to report, that by a careful examination, it appears that the whole amount of this fund paid into the state bank, is seventy thousand, six hundred and sixty-five dollars, and twelve cents—say,

\$70,665 12.

The proportion of each county is, 1138 76

That the county of Bedford is entitled, after deducting payments heretofore made, and adding interest upon the balance due since the debt was funded, and discounting interest in the amount paid heretofore, since the same

period:	\$977 91	Sumner,	192 47
Franklin,	977 91	Overton,	439 76
Giles,	439 76	Fentress,	1,139 76
Roberson,	354 80	Smith,	1,139 76
Jackson,	966 70	Wayne,	1,139 76
Williamson,	966 26	Hardin,	1,139 76
Davidson,	965 46	Hickman,	1,139 76
Maury,	890 76	Montgomery,	1,139 76
Dickson,	890 76	Stewart,	1,139 76
White,	75 76	Perry,	1,139 76
Warren,	414 76	Wilson,	25 14
Lawrence,	364 76	Henderson,	1,139 76
Carroll,	364 76	Dyer,	1,139 76
Obion,	364 76	Madison,	1,139 76
Humphreys,	364 76	Haywood,	1,139 76
Henry,	364 76	Hardeman,	1,139 76
Tipton,	364 76	Fayette,	1,139 76
Lincoln,	231 59	Shelby,	1,139 76
McNairy,	439 76	Rutherford,	
Weakly,	439 76		
Gibson,	439 76		29,214 04

It appears that by act of Assembly the sum of \$600 was loaned to Joseph Dickson, of Rutherford county, by the Treasurer of West Tennessee, of the money going to Bradley academy in said county,

\$600

Amount paid since by Treasurer,

216

816

Add interest from time funded,

199 92

1,015 92

Cash paid by present cashier,

775

1,750 92

Deduct proportion of this county,

1,139 76

Leaving a balance due the State of

651 16

Each county in East Tennessee being entitled as above to \$1,139 76. No attempt has been made to see how much has been paid to said counties; or how much may be actually due at this time, as all the evidence of this fact is in the Branch Bank at Knoxville; the Cashier of which, must of necessity, be authorised to settle and pay such balances according to the above estimate.

All of which is respectfully submitted.

THOMAS H. BRADFORD, Chairman.

Resolved by the General Assembly of the State of Tennessee, That the cashier of the Bank of the state consider the above estimate as the proportion due to each of the counties therein specified, and that he pay the same as is provided for by law; provided the President and Directors in reviewing said report, shall find the same to be correct; and in paying over, shall equalize the same among all the counties, as heretofore provided by law—taking into consideration the amount distributed among the different academies in E. Tennessee.

The foregoing resolution was adopted in senate the 13th Dec. 1851.

WM. K. HILL.

A bill to compensate John C. Haley and John Haley, and for other purposes; a bill to appropriate one half of the State tax to county purposes; a bill for the relief of the persons therein named; a bill to encourage the manufacture of salt,

Were severally read the third time and last time, passed and ordered to be engrossed.

A message from the Senate, by Mr. Hill, their clerk.

Mr. Speaker—

The Senate concur in your resolution in relation to the disposition of the public lands of the United States. I am directed to deliver to this House the report of the joint select committee on the number of Acts and Journals to be distributed and printed of the present session.

And then he withdrew.

Whereupon, the said report was read at the Clerk's table, and concurred in by the House as follows, to wit:

The committee appointed to ascertain the number of acts and journals of the General Assembly necessary to be printed; and to apportion the same amongst the several counties in this State, report the following number of public and private acts and journals for each county, to wit:

Counties.	Pub. Acts.	Priv. Acts.	Journals.	Counties.	Pub. Acts.	Priv. Acts.	Journals.
Anderson,	23	10	10	Lawrence,	37	16	16
Blount,	39	18	18	Lincoln,	88	40	40
Bedford,	101	50	50	Madison,	48	20	20
Bledsoe,	29	14	14	Mc'tgom'ry,	35	16	16
Carroll,	45	22	22	Morgan,	19	9	9
Cooke,	23	11	11	Mauzy,	94	44	44
Carier,	33	16	16	Marion,	26	12	12
Campbell,	21	10	10	McMinn,	61	28	28
Claiborne,	45	22	22	Monroe,	56	25	25
Dickson,	29	14	14	McNairy,	37	15	15
Davidson,	76	36	36	Obion,	21	9	9
Dyer,	21	10	10	Overton,	36	17	17
Fayette,	29	14	14	Perry,	36	17	17
Franklin,	55	27	27	Roane,	42	18	18
Fentress,	23	10	10	Rhea,	31	14	14
Greene	56	25	25	Robertson,	43	20	20
Gibson,	39	18	18	Rutherford	83	40	40
Grainger,	45	21	21	Sullivan,	39	18	18
Giles,	60	26	26	Sevier,	23	10	10
Humphries	34	15	15	Stewart,	25	11	11
Haywood,	30	14	14	Smith,	61	30	30
Hickman,	39	17	17	Sumner,	55	27	27
Hamilton,	21	10	10	Shelby,	29	13	13
Hardeman,	42	20	20	Tipton,	31	14	14
Henderson,	37	17	17	Weakly,	27	12	12
Henry,	42	20	20	Williamson	66	31	31
Hawkins,	56	25	25	Wayne,	37	17	17
Hardin,	29	13	13	Warren,	53	25	25
Jackson,	46	20	20	Washin'ton	32	15	15
Jefferson,	46	20	20	White,	48	22	22
Knox,	46	20	20	Wilson,	73	35	35

1260

1395

1260

2665

For members of this Gen. Ass'bly 1 copy each,	60	60	60
For 4 clerks to this General Assembly,	4	4	4
To be deposited in Secretary's office; for other States and Territories,	50		
To be deposited in Secretary's office for use of the General Assembly,	50	50	50

2829

Mr. Cheatham from the committee appointed to ascertain the expenses of the present General Assembly made the following report.

The committee appointed to ascertain the expenses of the present General Assembly have performed that duty, and beg leave to report the following for the mileage and per diem pay of the members of the House of Representatives and its officers.

<i>Members.</i>	<i>Miles.</i>	<i>Days.</i>	<i>Amount.</i>
Frederick W. Huling,	100	94	486 dollars 00 cents.
Dixon Allen,	100	"	392 dollars 00 cents.
Elijah Boddie,	50	"	384 dollars 00 cents.
Aaron V. Brown,	160	"	401 dollars 60 cents.
Christian Carriger,	640	"	478 dollars 40 cents.
Richard Cheatham,	50	"	384 dollars 00 cents.
Thomas Claiborne,		"	376 dollars 00 cents.
John H. Dew,	58	"	385 dollars 28 cents.
D. W. Dickinson,	64	"	386 dollars 24 cents.
James Dobbins,	80	"	388 dollars 80 cents.
Richard G. Dunlap,	400	"	440 dollars 00 cents.
Warham Easley,	480	"	452 dollars 80 cents.
James Gillespy,	440	"	441 dollars 60 cents.
Bolin Gordon,	100	"	392 dollars 00 cents.
A. P. Gowen,	84	"	389 dollars 44 cents.
James Gray,	190	"	406 dollars 40 cents.
George Gray,	180	"	404 dollars 80 cents.
Josiah Hatley,	380	"	436 dollars 80 cents.
Benjamin Hardin,	180	"	404 dollars 80 cents.
Spearman Holland,	220	"	411 dollars 20 cents.
Elijah Hurst,	352	"	429 dollars 12 cents.
Wm. M. Inge,	150	"	400 dollars 00 cents.
Joseph Kincaid,	110	"	398 dollars 60 cents.
Abram P. Maury,	40	"	382 dollars 40 cents.
John McFarland,	506	"	456 dollars 96 cents.
John McGaughey,	565	"	466 dollars 40 cents.
Charles D. McLean,	300	"	424 dollars 00 cents.
Robert Nevins,	200	"	408 dollars 00 cents.
Jonathan Parris,	130	"	396 dollars 80 cents.
James Robinson,	220	"	411 dollars 20 cents.
David Rogers,	500	"	456 dollars 00 cents.
E. E. Smith,	500	"	456 dollars 00 cents.
A. R. Smith,	220	"	411 dollars 20 cents.
Matthew Stephenson,	590	44	270 dollars 40 cents.
Thos. Stockton,	344	94	431 dollars 06 cents.
Samuel Turney,	200	"	408 dollars 00 cents.
Mies Vernon,	296	"	423 dollars 36 cents.
Charles Watkins,	46	"	383 dollars 36 cents.
Ireell D. Wright,	360	"	433 dollars 60 cents.
James Young,	570	"	467 dollars 20 cents.

11779
276
15

Thos. J. Campbell, Principal Clerk,	564 dollars 00 cents.
Jas. A. Whiteside, Asst. Clerk,	564 dollars 00 cents.
James McDowel, D. K.	376 dollars 00 cents.
Joseph Hickey, A. D. K.	376 dollars 00 cents.

On motion, ordered, that the Clerk notify the Senate that this House has completed the legislative business before it, and is about to adjourn.

A message from the senate by Mr. Hill their Clerk.

Mr. Speaker—

The Senate have closed the business before them, and are ready to adjourn without day.

And then he withdrew.

Whereupon,

The Speaker adjourned the House sine die.

FREDERIC W. MULING,

Speaker of the House of Representatives.

Attest, THOMAS J. CAMPBELL, Clerk, H. of Rep.